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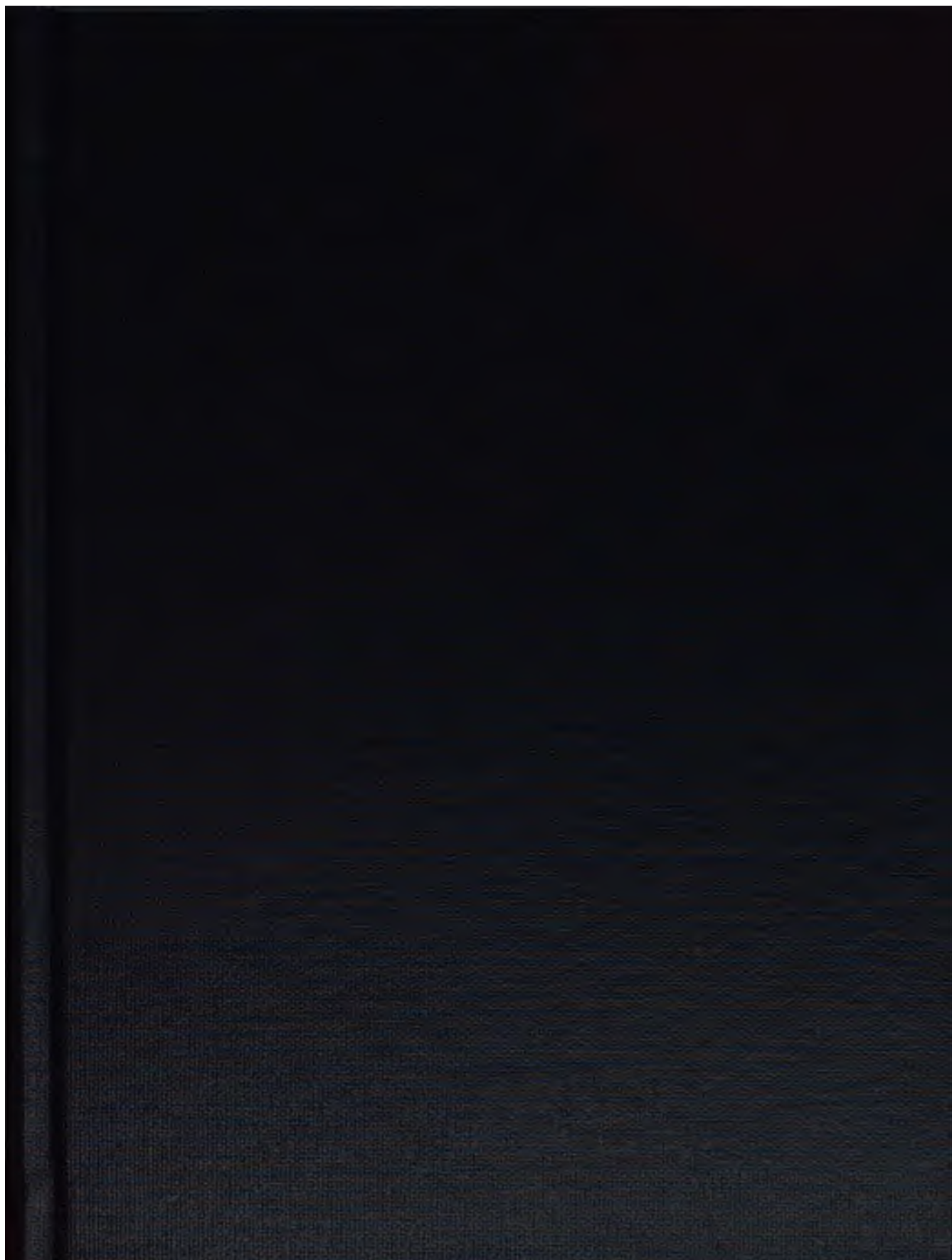
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THE
CHARTER
AND
ORDINANCES
OF THE
City of Cambridge.
WITH SUPPLEMENT AND NOTES.



CAMBRIDGE:
PRESS OF JOHN WILSON AND SON.
1877.

THE
CHARTER
AND
ORDINANCES
OF THE
CITY OF CAMBRIDGE.

Published by Order of the City Council.



CAMBRIDGE:
PRINTED AT THE RIVERSIDE PRESS.
1871.

US 13207.7.17

PREFACE.

THE following work was undertaken in pursuance of an Order of the City Council, directing the City Solicitor to prepare and report in print, as soon as might be, a new arrangement of the City Ordinances, "in a consolidated form, with authority to omit redundant enactments, and those which have ceased to have any effect or influence on existing rights ; to reject superfluous words, and condense into a concise and comprehensive form all circuitous, tautological, and ambiguous phraseology ; and to suggest any mistakes, omissions, inconsistencies, and imperfections that might appear in the Ordinances to be consolidated and arranged."

When it is remembered that a revision was to be made of the Ordinances which had been passed during a period of twenty-three years ; that many of them were originally unskillfully drawn ; that there had been conflicting alterations and amendments, repeals, and partial repeals, it will be seen that it was a work of no little labor to condense and arrange them, so as to bring together all existing provisions relating to the same subject, in such a form as to answer the requirements of the Order above quoted. To comply fully with these requirements was impossible except by re-writing the whole body of Ordinances, which would have destroyed all traces of their identity.

They were reduced into one Ordinance, divided into thirty-

three chapters, and put into the hands of the printer in 1869; were soon after reported to the City Council, and have since been constantly before the Committee on Ordinances or the City Council, for revision, alterations, or additions.

Prefixed to the Ordinances will be found the City Charter, with the various amendments which have been made in it incorporated in their proper places. The original Charter and the several acts amending the same are also given at length.

The Act of March 13, 1855, in relation to the Cambridge Cemetery, is inserted, there having been no amendment, except that the Annual Report of the Board of Commissioners provided for in the fourth section, is, by chapter two hundred and twenty-five of the Acts of 1865, to be made in December instead of January. The Act of April 19, 1854, establishing the Police Court in Cambridge, is also given at length.

At the end of the volume will be found the Joint Rules and Orders of the City Council, the Rules and Orders of the Board of Aldermen, and the Rules and Orders of the Common Council.

J. A. J.

CAMBRIDGE, *September 6*, 1871.

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1. An Ordinance prescribing the Manner of recording the Ordinances of the City, passed May 11, 1846.
2. An Ordinance relating to the Execution of Deeds by the City, passed May 11, 1846.
3. An Ordinance providing for the Appointment of Surveyors of Highways, passed May 11, 1846.
4. An Ordinance prescribing the Mode of appointing certain City Officers, passed May 18, 1846.
5. An Ordinance prescribing the Form of Warrants, and the Mode of serving and returning the same, passed May 18, 1846.
6. An Ordinance establishing a System of Accountability in the Expenditures of the City, passed May 25, 1846.
7. An Ordinance directing the Manner in which the Ordinances of the City Council, and the Orders of the Mayor and Aldermen shall be promulgated, passed June 9, 1846.
8. An Ordinance establishing the Salary of the Collector of Taxes, passed June 9, 1846.
9. An Ordinance relating to the Powers and Duties of the School Committee, passed June 9, 1846.
10. An Ordinance to establish a City Seal, passed June 9, 1846.
11. An Ordinance directing to what Uses Fines and Penalties shall be appropriated, passed June 16, 1846.
12. An Ordinance to prevent Unlawful and Injurious Practices in the Streets and other Public Places in the City, passed June 16, 1846.
13. An Ordinance providing for the Appointment, and prescribing the Duties of City Marshal, and establishing a City Watch, passed June 30, 1846.
14. An Ordinance for the Prevention of Fires, passed July 14, 1846.
15. An Ordinance prescribing the Duties of Weighers of Hay and other Articles, passed July 14, 1846.
16. An Ordinance relating to the Assessment and Collection of Taxes, passed July 14, 1846.

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17. An Ordinance for the Removal of Nuisances, Sources of Filth, and Causes of Sickness within the City of Cambridge, passed July 28, 1846.
18. An Ordinance in addition to "An Ordinance relating to the Assessment and Collection of Taxes," passed August 18, 1846.
19. An Ordinance establishing the Office of Superintendent of Streets, and prescribing his Duties, passed August 25, 1846.
20. An Ordinance establishing the Salaries of sundry City Officers, passed September 22, 1846.
21. An Ordinance to establish a City Seal, passed December 28, 1846.
22. An Ordinance establishing the Salary of the Mayor of the City of Cambridge, passed March 22, 1847.
23. An Ordinance repealing certain Ordinances, passed April 29, 1847.
24. An Ordinance for the suppression of Disturbances on the Lord's Day, passed June 16, 1847.
25. An Ordinance in addition to "An Ordinance establishing a System of Accountability in the Expenditures of the City," passed June 16, 1847.
26. An Ordinance in addition to "An Ordinance prescribing the Duties of the Weighers of Hay and other Articles," passed June 16, 1847.
27. An Ordinance restraining the Going at Large of Dogs within the City of Cambridge, passed June 23, 1847.
28. An Ordinance establishing the Salaries of certain City Officers, passed June 23, 1847.
29. An Ordinance establishing a Workhouse in the City of Cambridge, passed August 11, 1847.
30. An Ordinance to prevent Racing and Immoderate Driving of Horses in the Streets of the City, passed September 29, 1847.
31. An Ordinance supplementary to "An Ordinance establishing a System of Accountability in the Expenditures of the City," passed October 19, 1847.
32. An Ordinance in addition to "An Ordinance for the removal of Nuisances, Sources of Filth, and Causes of Sickness within the City of Cambridge," passed February 1, 1848.
33. An Ordinance establishing the Salaries of certain City Officers, passed September 26, 1848.
34. An Ordinance relating to the Collection of Taxes, passed May 22, 1849.
35. An Ordinance in addition to "An Ordinance establishing the Office of Superintendent of Streets, and prescribing his Duties," passed May 22, 1849.
36. An Ordinance in addition to "An Ordinance prescribing the Duties of the Weighers of Hay and other Articles," passed May 31, 1849.
37. An Ordinance in addition to "An Ordinance establishing a System of Accountability in the Expenditures of the City," passed August 28, 1849.

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38. An Ordinance in relation to Burial-Grounds, and the Interment of the Dead, passed September 11, 1849.
39. An Ordinance establishing the Salary of the Mayor of the City of Cambridge, passed March 26, 1850.
40. An Ordinance in addition to "An Ordinance relating to the Powers and Duties of the School Committee," passed April 9, 1850.
41. An Ordinance establishing the Salary of the Superintendent of Streets of the City of Cambridge, passed October 1, 1850.
42. An Ordinance determining the Boundaries of the Wards of the City of Cambridge, and the Number of Members of the Common Council which each Ward shall be entitled to elect, passed January 28, 1851.
43. An Ordinance in addition to "An Ordinance providing for the Appointment, and prescribing the Duties of City Marshal, and establishing a City Watch," passed May 18, 1851.
44. An Ordinance relating to the Public Health, passed May 27, 1851.
45. An Ordinance relating to the Salary of the Treasurer and Collector, passed July 15, 1851.
46. An Ordinance relating to the Laying out and Acceptance of Streets, passed August 26, 1851.
47. An Ordinance establishing the Salaries of the Chief and Assistant Engineers of the Fire Department, passed August 26, 1851.
48. An Ordinance establishing a System of Accountability in the Expenditures of the City, passed April 27, 1852.
49. An Ordinance establishing the Salaries of certain City Officers, passed May 18, 1852.
50. An Ordinance relating to Main Drains or Common Sewers, passed June 29, 1852.
51. An Ordinance in addition to "An Ordinance to prevent Unlawful and Injurious Practices in the Streets and other Public Places in the City," passed June 31, 1853.
52. An Ordinance providing for the Appointment, and prescribing the Duties of City Marshal, and establishing a City Watch, passed May 31, 1853.
53. An Ordinance in addition to "An Ordinance for the Removal of Nuisances, Sources of Filth, and Causes of Sickness within the City of Cambridge," passed July 19, 1853.
54. An Ordinance relating to the Salary of the City Marshal, passed July 19, 1853.
55. An Ordinance establishing the Salary of the Superintendent of Drains, passed July 19, 1853.
56. An Ordinance in further addition to "An Ordinance for the Removal of Nuisances, Sources of Filth, and Causes of Sickness within the City of Cambridge," passed September 6, 1853.
57. An Ordinance in relation to Truant Children, and Absentees from School, passed January 16, 1854.

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58. An Ordinance in addition to "An Ordinance providing for the Appointment, and prescribing the Duties of City Marshal, and establishing a City Watch," passed August 14, 1854.
59. An Ordinance in addition to "An Ordinance establishing a Workhouse in the City of Cambridge," passed October 16, 1854.
60. An Ordinance establishing a Fire Department, and providing for Preventing and Extinguishing Fires, passed December 26, 1854.
61. An Ordinance establishing a System of Accountability in the Expenditures of the City, passed February 26, 1855.
62. An Ordinance providing for the Appointment, and prescribing the Duties of a City Marshal, passed January 31, 1856.
63. An Ordinance relating to the Salary of the Board of Assessors, passed March 25, 1856.
64. An Ordinance in addition to "An Ordinance providing for the Appointment, and prescribing the Duties of City Marshal, and establishing a City Watch," passed March 27, 1856.
65. An Ordinance in further addition to "An Ordinance to prevent Unlawful and Injurious Practices in the Streets and other Public Places in the City," passed April 22, 1856.
66. An Ordinance relating to the Salary of the Justice of the Police Court, passed May 26, 1856.
67. An Ordinance relating to the Salary of the Mayor of the City of Cambridge, passed June 18, 1856.
68. An Ordinance establishing a Workhouse in the City of Cambridge, passed September 21, 1856.
69. An Ordinance establishing the Office of Superintendent of Lamps, and prescribing his Duties, passed September 24, 1856.
70. An Ordinance determining the Boundaries of the Wards of the City of Cambridge, and the Number of Members of the Common Council which each Ward shall be entitled to elect, passed October 29, 1856.
71. An Ordinance in addition to "An Ordinance establishing a Fire Department, and providing for Preventing and Extinguishing Fires, passed November 4, 1856.
72. An Ordinance in addition to "An Ordinance establishing a System of Accountability in the Expenditures of the City," passed December 8, 1856.
73. An Ordinance establishing the Compensation of the City Treasurer, and the Collector of Taxes, passed December 8, 1856.
74. An Ordinance establishing the Office of City Messenger, and prescribing his Duties, passed December 24, 1856.
75. An Ordinance relating to the Revised Ordinances, passed December 24, 1856.
76. An Ordinance in addition to "An Ordinance providing for the appoint-

LIST OF ORDINANCES CONTAINED IN THIS VOLUME xiii

ment, and prescribing the Duties, of City Marshal," passed September 30, 1857.

77. An Ordinance providing for a Division of the City of Cambridge into Five Wards, and for determining the Boundaries thereof, and the Number of Members of the Common Council which each Ward shall be entitled to elect, passed October 21, 1857.
78. An Ordinance establishing the Salary of the Mayor of the City, passed December 7, 1857.
79. An Ordinance establishing the Salary of the Chief of Police, passed December 23, 1857.
80. An Ordinance in relation to the Fund to be received from the Hancock Free Bridge Corporation, passed December 30, 1857.
81. An Ordinance relating to the West Boston and Canal Bridges, passed January 29, 1858.
82. An Ordinance providing for the Care and Charge of West Boston and Canal Bridges, passed March 17, 1858.
83. An Ordinance in relation to City Bonds, passed May 28, 1858.
84. An Ordinance in addition to "An Ordinance in relation to the Duties of the City Messenger," passed June 23, 1858.
85. An Ordinance in relation to the Dana Library, passed June 30, 1858.
86. An Ordinance providing for the Election, and prescribing the Duties of Assistant Assessors, passed October 20, 1858.
87. An Ordinance establishing the Salary of the City Clerk, passed March 5, 1859.
88. An Ordinance in addition to "An Ordinance restraining the Going at Large of Dogs within the City of Cambridge," passed June 22, 1859.
89. An Ordinance in addition to "An Ordinance relating to Drains and Common Sewers," passed October 12, 1859.
90. An Ordinance in addition to "An Ordinance in relation to the Dana Library," passed November 9, 1859.
91. An Ordinance concerning the transporting of Gunpowder through and in the City of Cambridge, passed October 2, 1860.
92. An Ordinance in relation to Watering Streets, passed January 2, 1861.
93. An Ordinance in relation to the Salary and Duties of the City Treasurer and Collector of Taxes, passed January 2, 1861.
94. An Ordinance in relation to the care of School-houses, passed May 1, 1861.
95. An Ordinance in relation to certain Duties of the City Clerk, passed May 15, 1861.
96. An Ordinance in relation to the Disbursement of the Appropriation for Volunteers and their Families, passed June 5, 1861.
97. An Ordinance in addition to "An Ordinance in relation to the Fund to be received from the Hancock Free Bridge Corporation," passed July 10, 1861.

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98. An Ordinance in addition to the "Ordinance in relation to Streets," passed December 18, 1861.
99. An Ordinance in relation to the Keeping of Swine, passed January 1, 1862.
100. An Ordinance in addition to "An Ordinance in relation to the Keeping of Swine," passed May 21, 1862.
101. An Ordinance in addition to the "Ordinance in relation to Finance," passed September 10, 1862.
102. An Ordinance for the prevention of certain Nuisances, passed September 10, 1862.
103. An Ordinance in addition to the "Ordinance in relation to the Fire Department," passed September 17, 1862.
104. An Ordinance in addition to "An Ordinance providing for a Division of the City of Cambridge into Five Wards, and for determining the Boundaries thereof, and the number of Members of the Common Council which each Ward shall be entitled to elect," passed November 20, 1862.
105. An Ordinance in addition to "An Ordinance in relation to Streets," passed December 24, 1862.
106. An Ordinance in relation to the Examining, Certifying, and Auditing of Accounts and Claims against the City, passed March 11, 1863.
107. An Ordinance in relation to giving Notice of Intention to Build, passed March 18, 1863.
108. An Ordinance in addition to "An Ordinance in relation to Streets," passed April 22, 1863.
109. An Ordinance in relation to Watering Streets, passed May 6, 1863.
110. An Ordinance in addition to the "Ordinance in relation to Streets," passed May 6, 1863.
111. An Ordinance in addition to "An Ordinance in relation to Health," passed September 2, 1863.
112. An Ordinance in relation to the Salary of the Treasurer, passed November 11, 1863.
113. An Ordinance in relation to the Board of Assessors, passed November 11, 1863.
114. An Ordinance in relation to the Office and Duties of Superintendent of Streets and Drains, passed February 24, 1864.
115. An Ordinance establishing the Salaries of certain City Officers, passed March 9, 1864.
116. An Ordinance in relation to the Duties of the Engineers of the Fire Department, passed March 9, 1864.
117. An Ordinance in further addition to the "Ordinance in relation to the Fire Department," passed June 8, 1864.
118. An Ordinance in relation to the Construction and Repair of Reservoirs and Hydrants, passed June 22, 1864.

LIST OF ORDINANCES CONTAINED IN THIS VOLUME. xv

119. An Ordinance in relation to the sale of Junk, Old Metals, and Second-hand Articles, passed October 26, 1864.
120. An Ordinance in relation to the Sanders Temperance Fund, December 6, 1864.
121. An Ordinance in relation to the Salary of the Chief Engineer of the Fire Department, passed March 1, 1865.
122. An Ordinance in addition to the "Ordinance in relation to Finance," passed March 1, 1865.
123. An Ordinance in addition to "An Ordinance in relation to Finance," passed May 17, 1865.
124. An Ordinance providing for the Care and Management of the Cambridge Water Works, passed May 31, 1865.
125. An Ordinance in addition to the Ordinance relating to "Streets," and "Providing for the Care and Charge of West Boston and Canal Bridges," passed September 27, 1865.
126. An Ordinance in relation to the Bridge Fund, and the Care and Maintenance of West Boston and Canal Bridges, passed May 16, 1866.
127. An Ordinance in relation to the Compensation of the School Committee, and of the Secretary of said Board, passed May 16, 1866.
128. An Ordinance establishing the Salary of the Chief of Police, and defining his Duties, passed May 30, 1866.
129. An Ordinance in addition to "An Ordinance providing for the Care and Management of the Water Works," passed July 25, 1866.
130. An Ordinance establishing the Salary of the City Clerk, and for other purposes, passed December 19, 1866.
131. An Ordinance in addition to "An Ordinance in relation to Burial Grounds, and the Interment of the Dead," passed December 26, 1866.
132. An Ordinance in addition to "An Ordinance providing for the Care and Management of the Cambridge Water Works," passed April 24, 1867.
133. An Ordinance establishing the Office of City Engineer and Surveyor, passed April 24, 1867.
134. An Ordinance establishing the Compensation of the Officers and Members of the Fire Department, passed June 5, 1867.
135. An Ordinance establishing the Office Hours of the City Treasurer and Collector, passed September 11, 1867.
136. An Ordinance in further addition to "An Ordinance providing for the Care and Management of the Cambridge Water Works," passed September 11, 1867.
137. An Ordinance in addition to the "Ordinance in relation to Streets," passed November 20, 1867.
138. An Ordinance in further addition to "An Ordinance providing for a

xvi LIST OF ORDINANCES CONTAINED IN THIS VOLUME.

Division of the City of Cambridge into Five Wards, and for determining the Boundaries thereof, and the number of Members of the Common Council which each Ward shall be entitled to elect," passed November 20, 1867.

139. An Ordinance in relation to the Establishing and Maintenance of Schools for the Education of Persons over fifteen years of age, passed December 18, 1867.
140. An Ordinance to provide for the Appointment of a Superintendent of Public Schools; passed December 28, 1867.
141. An Ordinance establishing the Salaries of certain Officers, and for other purposes, passed September 16, 1868.
142. An Ordinance in amendment of an Ordinance entitled "An Ordinance in relation to giving Notice of Intention to Build," passed November 24, 1868.
143. An Ordinance in further addition to "An Ordinance providing for the Care and Management of the Cambridge Water Works," passed December 2, 1868.
144. An Ordinance providing for the Care and Management of the Fire Department, and for the Compensation of its Officers and Members, passed December 16, 1868.
145. An Ordinance in relation to the Care and Management of the Cambridge Water Works, passed December 23, 1868.
146. An Ordinance relating to the Department of Engineering and Surveying, passed December 30, 1868.
147. An Ordinance in addition to "An Ordinance in relation to the Compensation of the School Committee, and of the Secretary of said Board," passed February 24, 1869.
148. An Ordinance in relation to the Compensation of Policemen, passed March 2, 1869.
149. An Ordinance in addition to "An Ordinance in relation to Sewers," passed November 24, 1869.
150. An Ordinance in aid of the Dana Library, passed December 22, 1869.
151. An Ordinance in relation to giving Notice of Intention to Build, and for maintaining the Lines of Streets, passed December 29, 1869.
152. An Ordinance in relation to the Care and Maintenance of West Boston and Craigie's Bridges, passed May 24, 1871.
153. An Ordinance in relation to Street Numbers, passed May 31, 1871.
154. An Ordinance increasing the Salary of the Four Assistant Engineers, passed July 11, 1871.
155. An Ordinance in Amendment of the Revised Ordinances, passed September 6, 1871.

CITY OF CAMBRIDGE.

AMENDED CITY CHARTER¹

1. Corporate powers.
2. City government. Quorum. Election of Mayor and Aldermen. Common Councilmen to be residents of the ward for which they are chosen.
3. Division into five wards. Number of members of Common Council.
4. Annual meeting for the election of city officers.
5. General and ward meetings.
6. Election of ward officers. Same to be sworn. Certificate of oath. Vacancy in ward offices. Officers *pro tem*. Presiding officer. Inspectors of Elections. Duties of Ward Clerk. Election of Common Councilmen. Certificate of Election.
7. Election of Mayor and Aldermen. Failure to elect Mayor or Aldermen. Vacancy in office of Mayor by death or otherwise.
8. Organization of city government. Oath of office. Certificate of oath.
9. Powers and duties of Mayor. Salary of Mayor.
10. Meetings of Mayor and Aldermen.
11. Powers and duties of Mayor and Aldermen.
12. Examination and return of votes for county, state, or national officers. Failure to elect Representatives to General Court. General meeting of the citizens. Board of Aldermen to judge of election of its members. Vacancy.
13. Fire Department.
14. Common Council a separate body. President. Clerk. Sittings to be public. To judge of elections of its members. Vacancy.
15. Powers of City Council.
16. By-Laws. Fines and forfeitures. Complaints.
17. Duties of City Council. Annual financial statement.
18. City Council may lay out new streets or ways.
19. City Council may construct drains and sewers.
20. Board of Health.
21. City Council may provide for election of necessary officers. Members of City Council ineligible to other offices.
22. City Clerk. Duties.
23. City Treasurer, etc. Vacancies in certain boards.
24. School Committee. Overseers of

¹ The City Charter is here printed with the various amendments which have been made in it incorporated in their proper places. The original Charter, and the several acts amending the same, will be found a few pages later at length.

AMENDED CITY CHARTER.

the Poor. Assessor. Assistant Assessors. Mayor to be chairman of the School Committee and Overseers of the Poor.	26. Accountability of all boards and officers for public money.
25. Election of county, state, and national officers.	27. No contract to exceed specific appropriation therefor.
	28. Power of the Legislature to alter the Charter.

Corporate
powers.
1846, c. 109,
§ 1.

SECT. 1. The inhabitants of the town of Cambridge, in the county of Middlesex, shall continue to be a body corporate and politic, under the name of the City of Cambridge; and, as such, shall have, exercise, and enjoy all the rights, immunities, powers, and privileges, and shall be subject to all the duties and obligations, now incumbent upon, and appertaining to, said town, as a municipal corporation.

City govern-
ment.
1846, c. 109,
§ 2.
1857, c. 75,
§ 9.

SECT. 2. The administration of all the fiscal, prudential, and municipal affairs of said city, and the government thereof, shall be vested in one principal officer, to be styled the Mayor; one council of ten, to be denominated the Board of Aldermen; and one council of twenty, to be denominated the Board of Common Council,—which two Boards shall, in their joint capacity, be denominated the City Council. A majority of each Board shall constitute a quorum for the transaction of business. No member of either Board shall receive any compensation for his services.

Quorum.

Election of
Mayor and
Aldermen.

The Mayor and Aldermen shall be chosen by the inhabitants of the city at large, voting in their respective wards.

Common
Councilmen
to be resi-
dents of the
ward for
which they
are chosen.

The members of the Common Council shall be apportioned among the several wards, as nearly as may be, according to the number of inhabitants therein; and each ward shall elect the number of Common Councilmen to which it shall be entitled on such apportionment, from persons who shall be residents in the ward by which they shall be chosen.

SECT. 3. The city of Cambridge hereby is, and shall

continue to be, divided into five wards. The City Council shall, in the month of October, in the year one thousand eight hundred and fifty-seven, and every fifth year thereafter, revise the boundaries of said wards, and may, by a vote of not less than two-thirds of the members of each Board present, and voting thereon, so alter the boundaries of said wards as shall be most for the convenience of the inhabitants thereof; and shall apportion the members of the Common Council to the several wards in accordance with the provisions of the preceding section.

Division into five wards.
1846, c. 109, § 3.
1853, c. 155, § 4.
1857, c. 75, § 8.
G. S. c. 19, §§ 4, 5, 16.

Number of members of Common Council.
1853, c. 155, § 4.
1857, c. 75, § 8.

SECT. 4. The annual meeting of the inhabitants for the choice of city officers shall be holden on the first Monday in December; and all city and ward officers who are chosen by the people shall be chosen by ballot, and shall hold their respective offices for one year from the first Monday in January succeeding the annual meeting, and until others shall be chosen and qualified to act in their stead.

Annual meeting for the election of city officers.
1846, c. 109, § 4.
1853, c. 155, § 1.

Ibid. § 2.
1851, c. 167.
1854, c. 59.
G. S. c. 7.

SECT. 5. All meetings of the inhabitants for the purpose of voting at elections, or for the transaction of municipal affairs, whether in general or in ward meetings, shall be holden in pursuance of warrants for that purpose, which shall be issued by the Mayor and Aldermen, and shall be in such form, and served and returned in such manner, and at such time, as the City Council by any by-law shall direct.

General and ward meetings.
1846, c. 109, § 5.

SECT. 6. Each ward, at the annual meeting, shall choose for itself a Warden, Clerk, and three Inspectors of Elections, who shall be sworn to the faithful and impartial discharge of their respective duties relative to elections; a certificate that said oath has been taken shall be entered in the records of the ward by the Clerk thereof.

Election of ward officers.
1846, c. 109, § 6.
Same to be sworn.

Certificate of oath.
1857, c. 240.

Whenever it shall appear to the Mayor and Alder-

Vacancy in
ward offices.
1867, c. 76,
§ 6.

men that there is a vacancy in any of the ward offices, it shall be their duty to issue their warrant in due form to fill all such vacancies, at such time and place as they may deem advisable; and the same proceedings shall be had, and adjournments, if necessary, as are prescribed for the election of such officers at the annual meeting.

Officers *pro
tem*.
Ibid. § 6.
G. S. c. 19,
§ 9.

In case of the absence of any ward officer at any ward meeting, such officer may be chosen *pro tempore*, and shall have all the powers, and be subject to all the duties, of the regular officer at such meeting.

Presiding
officer.

Ibid. § 7.
1868, c. 144.

It shall be the duty of the Warden to preside at all ward meetings, with the powers of moderators of town meetings. In case of his absence, the Clerk, and in case of the absence of the Clerk, any Inspector shall preside, according to seniority, until a Warden shall be chosen, as above provided.

Inspectors of
Elections.
1846, c. 109,
§ 6.

The Inspectors of Elections shall, at all meetings, aid and assist the Warden in preserving order, and in assorting and counting the votes; and all votes shall be assorted, counted, recorded, and declared, in open ward meeting.

Duties of
Ward Clerk.

1868, c. 144.

The Clerk shall record in the ward records the votes and proceedings of all ward meetings, and shall enter on said record the names of all persons voted for, and the number of votes given for each, in words at length, and shall, within twenty-four hours after each and every ward meeting holden for the purpose of any election, deliver to the City Clerk a true copy of the record of such election, certified by himself, the Warden, and a majority of the Inspectors. The Clerk shall deliver to his successor in office all the records, record-books, journals, documents, papers, and other things held by him in his capacity of Clerk of the ward.

Each ward shall also, at the annual meeting, choose

the number of Common Councilmen which it shall be entitled to elect. But if the choice of ward officers or Common Councilmen cannot be conveniently effected or completed on that day, the meeting shall be adjourned from day to day, to complete the choice. The Clerk of the ward shall, within twenty-four hours after such choice, deliver to the respective persons elected Common Councilmen a certificate of their election, signed by himself, the Warden, and a majority of the Inspectors.

Election of
Common
Councilmen.

Certificate
of election.

SECT. 7. The qualified voters in each ward shall, at the annual meeting, give in to the Warden and Inspectors their votes for a Mayor and ten Aldermen; a copy of the record of which shall be delivered to the City Clerk, as provided in the preceding section. The City Clerk shall, immediately after receiving said copies, enter the same, or a plain and intelligible abstract thereof, on the city records, and then lay said copies before the Mayor and Aldermen, who shall thereupon examine the same, and cause the persons who shall have been chosen Mayor and Aldermen respectively, by a majority of votes in all the wards, to be notified in writing of their election.

Election of
Mayor and
Aldermen.
1848, c. 100,
§ 7.
1867, c. 75,
§ 9.

If a Mayor, or the whole number of Aldermen, shall not have been so elected, or if either of the persons elected shall refuse to accept the office to which he was chosen, the Mayor and Aldermen shall make a record of the fact, and forthwith issue their warrant for another election; and the same proceedings shall be had, in all respects, as are provided in this section for the choice of Mayor and Aldermen; and the same shall be repeated from time to time, until a Mayor and the whole number of Aldermen shall have been chosen.

Failure to
elect Mayor
or Aldermen.
G. S. c. 19,
§§ 6, 7, 8.

Whenever the office of Mayor shall become vacant, by death, resignation, or otherwise, the Boards of Al-

Vacancy in
office of
Mayor by
death or oth-
erwise.

dermen and Common Council shall, respectively, by vote, declare the same, and the cause thereof, and the expediency of filling such vacancy; and the two Boards shall thereupon meet in convention, and elect a Mayor to fill such vacancy so long as said cause shall continue, or until a new election.

Organization
of city gov-
ernment.
1946, c. 109,
§ 8.
1953, c. 155,
§ 2.

Oath of of-
fice.

Certificate of
oath.

Powers and
duties of
Mayor.
1946, c. 109,
§ 9.

SECT. 8. The Mayor, Aldermen, and Common Council shall, before entering on the duties of their office, be sworn to the faithful performance of the duties of their respective offices; and for that purpose shall meet in convention on the first Monday in January, in each year, at ten of the clock in the forenoon, when such oath may be administered to the Mayor elect, if present, by any judge of any court of record in the Commonwealth, or by any justice of the peace for the county of Middlesex; and to the Aldermen and Common Councilmen by the Mayor, he being first sworn as aforesaid, or by such justice of the peace. A certificate that such oath has been taken shall be entered in the journal of the Mayor and Aldermen, and of the Common Council, by their respective Clerks. If, from any cause, the Mayor, or any one or more of the Aldermen or Common Councilmen, shall not be present on the first Monday in January, to take the oath required of them, the same may be administered to them at any time thereafter, before entering on the duties of their office.

SECT. 9. The Mayor thus chosen and qualified, shall be the chief executive officer of the city. He shall cause the laws and regulations of the city to be executed and enforced. He shall exercise a general supervision over the conduct of all subordinate officers, and cause their violation or neglect of duty to be punished. He may call special meetings of the Boards of Aldermen and Common Council, or either of them,

when in his opinion the interests of the city require it, by causing a notification to be left at the usual dwelling-place of each member of the Board or Boards to be convened. He shall, from time to time, communicate to said Boards, respectively, such information, and recommend such measures, as the interests of the city shall in his judgment require. He shall preside in the Board of Aldermen, and in joint meeting of the two Boards; but shall have a casting vote only. He shall have the exclusive power of nomination in all cases in which appointments are directed to be made by the Mayor and Aldermen; but such nominations shall be confirmed or rejected by the Board of Aldermen. He shall be *ex officio* chairman of the School Committee, and of the Board of Overseers of the Poor, but shall have a casting vote only. Every ordinance, order, resolution or vote, to which the concurrence of the Board of Aldermen and of the Common Council may be necessary (except on a question of convention of the two branches), and every order of either branch, involving the expenditure of money, shall be presented to the Mayor. If he approve thereof, he shall signify his approbation by signing the same; but if not, he shall return the same with his objections to the branch in which it originated, which shall enter the objections of the Mayor at length on its records, and proceed to reconsider said ordinance, order, resolution or vote; and if, after such reconsideration, two-thirds of the Board of Aldermen, or Common Council, notwithstanding such objections, agree to pass the same, it shall, together with the objections, be sent to the other branch of the City Council (if it originally required concurrent action), where it shall also be reconsidered, and if approved by two-thirds of the members present, it shall be in force; but in all cases the vote shall be deter-

mined by yeas and nays, and if such ordinance, order, resolution or vote shall not be returned within ten days after it shall have been presented, the same shall be in force. But the veto power of the Mayor shall not extend to the election of officers required by any law or ordinance to be chosen by the City Council in convention, or by concurrent action, unless expressly so provided therein.

Salary of Mayor.

The Mayor shall receive for his services such salary as the City Council shall determine, payable at stated periods, and shall receive no other compensation; but such salary shall not be increased or diminished during his continuance in office.

Meetings of Mayor and Aldermen. 1846, c. 109, § 10.

SECT. 10. The Mayor and Aldermen shall compose one Board, and shall sit and act together as one body, at all meetings of which the Mayor shall preside, if present; but in his absence, the Board may choose a chairman for the time being. All their sittings shall be public, when not engaged in executive business.

Powers and duties of Mayor and Aldermen. 1846, c. 109, § 11.

SECT. 11. The executive powers of the city and the administration of police, with all the powers heretofore vested by law in the Selectmen of Cambridge, shall be vested in the Mayor and Aldermen, as fully as if the same were herein specifically enumerated. They shall have exclusive power to appoint a City Marshal and assistants, a Constable or Constables, and all other police officers, and to remove the same from office, for sufficient cause. They may require the Marshal and Constables, before entering on the duties of their office, to give bonds, with sufficient sureties, to any reasonable amount, upon which the like proceedings and remedies may be had as are by law provided in case of constables' bonds required by selectmen of towns in this Commonwealth. They shall have power to grant licenses to innholders and victuallers, and retailers

G. S. c. 18, § 61.

within the city, in the same manner as the Mayor and Aldermen of the city of Boston now have by provision of law. They shall prepare, revise, correct, and post up, G. S. c. 8. in the manner that selectmen of towns are required to do, an alphabetical list of voters in each ward of the city; and for that purpose shall have access to the Assessors' books and lists, and be entitled to the aid and assistance of the Assessors, Collector, and other city officers, and shall deliver the lists so prepared and corrected to the Clerks of the respective wards, to be used at elections. And they shall do and perform all the duties which the selectmen of towns are by law required to do and perform within their respective towns, unless it be otherwise provided in this Act.

SECT. 12. The Mayor and Aldermen shall, within two days after every meeting of the inhabitants holden for the choice of county, state, or United States officers, examine and compare the copies of the record of votes returned from all the wards, and make out returns of the same, including the names of all the persons voted for, and the number of votes given for each; which returns shall be signed by the Mayor and a majority of the Aldermen, and countersigned by the City Clerk, and shall be transmitted or delivered in the manner that similar returns are required to be made by selectmen of towns. They shall notify the persons chosen to represent the city in the General Court of their election, within three days after the choice; and if the whole number of Representatives determined upon by the City Council shall not have been chosen at any such meeting, they shall forthwith issue their warrant for a new election, conformably to the Constitution and laws of the Commonwealth.¹

Examination and return of votes for county, state, or national officers. 1846, c. 109, § 12.

G. S. c. 7, §§ 16, 17; G. S. c. 8, § 10.

Failure to elect Representatives to General Court. G. S. c. 8, § 9.

¹ See Amend. Const. art. xxi., 1866, c. 103, § 1. Cambridge is in the Third Council District, the Third Middlesex Senatorial District, and the Fourth Con-

General
meeting of
the citizens.

The Mayor and Aldermen shall issue their warrant for a general meeting of the inhabitants, for any constitutional or legal purpose, whenever requested to do so, in writing, by thirty legal voters.

Board of
Aldermen to
judge of elec-
tion of its
members.

The Board of Aldermen shall be the final judge of the election and qualification of its members; and whenever a vacancy shall occur therein, by death, resignation, or otherwise, may order a new election.

Vacancy.

Fire Depart-
ment.
1853, c. 155,
§ 5.

SECT. 13. The City Council of the City of Cambridge may establish a Fire Department for the said city, to consist of so many engineers and other officers, and so many engine-men and other members, as the City Council, by ordinance, shall from time to time prescribe; and the said City Council shall have authority to make such provisions in regard to the time and mode of appointment, and the occasion and mode of removal, of either such officers or members, and to make such requisitions in regard to their conduct and government, and to the management and conduct of fires and persons attending at fires, subject to the penalties provided for the breach of the city by-laws, as they shall deem expedient: *Provided*, that the appointment of engine-men, hosemen, and hook-and-ladder-men, shall be made by the Mayor and Aldermen exclusively.

1852, c. 129.
1836, c. 87.

An Act establishing a Fire Department in the town of Cambridge, passed March seventeenth, in the year one thousand eight hundred and thirty-two, and an Act in addition thereto, passed March thirtieth, in the year one thousand eight hundred and thirty-five, shall continue in force, except in regard to the power of making by-laws and publishing the same, and except also in so far as they are otherwise inconsistent with

gressional District. The First and Fifth Wards constitute the Seventh Representative District of Middlesex County, and have one Representative; the Second and Fourth Wards constitute the Eighth District, and have three Representatives; the Third Ward is the Ninth District, and has one Representative.

the preceding section, in which respects they shall be void.

SECT. 14. The persons chosen and qualified as members of the Common Council shall sit and act together as one body, distinct from the Mayor and Aldermen, except when the two bodies are required to meet and act in convention. The said Council shall, from time to time, choose one of its members to preside at all meetings of the Board, and preserve order therein; and shall also choose a Clerk, who shall be sworn to the faithful discharge of the duties of that office, and shall hold such office during the pleasure of the Council. The Clerk so chosen and qualified shall attend the Common Council when in session, and keep a journal of its acts, votes, and proceedings, and perform such other services in his said office as the Council may require. All sittings of the Common Council shall be public. The Common Council shall be the final judge of the election and qualifications of its members; and whenever a vacancy shall occur therein, by death, resignation, or otherwise, may order a new election.

Common Council a separate body. 1846, c. 100, § 14.

President.

Clerk.

Sittings to be public. To judge of elections of its members.

Vacancy.

SECT. 15. All the powers now vested by law in the town of Cambridge, or in the inhabitants thereof, as a municipal corporation, shall be vested in the City Council, composed as provided in the second section, and shall be exercised by concurrent vote, each Board having a negative on the other.

Powers of City Council. 1846, c. 100, § 15.

SECT. 16. The City Council shall have power to make all such salutary and needful by-laws as towns, by the laws of the Commonwealth, have power to make, and to annex penalties, not exceeding twenty dollars, for the breach thereof; which by-laws shall take effect and be in force from the time therein limited, without the sanction or confirmation of any other authority what-

By-laws. 1846, c. 100, § 16.

ever. All such by-laws and all city ordinances shall be duly published, and in such newspaper or newspapers as the City Council shall direct. All fines and forfeitures for the violation of any by-law or ordinance of the city shall be recovered by complaint before the Police Court of the City of Cambridge, and shall enure to such uses as the City Council shall direct; but the party prosecuted shall have the right of appeal to the Superior Court, in the same manner, and upon the same terms and conditions, as are provided by law for appeals from the judgment of justices of the peace in other criminal prosecutions. It shall be sufficient, in any such complaint, to set out the offence plainly and substantially; but the by-law or ordinance on which the complaint is founded need not be recited or set out.

Fines and
forfeitures.

Complaints.
1864, c. 825.

1860, c. 196.

Duties of
City Council.
1846, c. 109,
§ 17.

Annual
financial
statement.

City Council
may lay out
new streets
or ways.
1846, c. 109,
§ 18.

1853, c. 155,
§ 7.

SECT. 17. The City Council shall take proper care that no money be paid out from the city treasury unless previously granted and appropriated; shall secure a just and proper accountability from all persons intrusted with the receipt, custody, or disbursement of the moneys or funds of the city; shall have the care and superintendence of the city buildings and all city property; and the power to let or sell what may be legally let or sold, and to purchase property, real or personal, in the name and for the use of the city, whenever the interest or convenience of the city shall require it. The City Council shall, once in every year at least, publish, for the use and information of the inhabitants, a particular account of the receipts and expenditures of the city, and a schedule of the property and debts of the city.

SECT. 18. The City Council shall have exclusive authority and power to lay out new streets or ways within said city, and to estimate the damage which any person shall sustain thereby; but all petitions and questions relating to the laying out, widening, altering,

or discontinuing of any street or way shall be first acted on by the Mayor and Aldermen. Any person dissatisfied with the decision of the City Council, in the estimate of damages, may, within six months thereafter, make complaint to the County Commissioners in the County of Middlesex; upon which complaint the same proceedings shall be had as are provided in the twenty-fourth chapter of the Revised Statutes, in cases where persons are aggrieved by the assessment of damages by selectmen of towns.

SECT. 19. The City Council shall have the power to construct drains and common sewers through any highways, streets, or private lands, paying the owners such damage as they shall sustain thereby; and to require all persons to pay a reasonable sum for the right to open any drain into such public drain or common sewer.

SECT. 20. All the power and authority now vested by law in the Board of Health for the town of Cambridge shall be transferred to and vested in the City Council, and shall be carried into execution by the appointment of Health Commissioners, or in such other manner as the City Council shall determine.

SECT. 21. The City Council shall have the power to provide for the appointment or election of all necessary officers for the good government of the city, not otherwise provided for, and to prescribe their duties and fix their compensation; but no person shall be elected by the City Council, or appointed by the Mayor and Aldermen, to any office of emolument, who, at the time of his election or appointment, shall be a member of the Board of Aldermen, or of the Common Council.

SECT. 22. The City Council shall, annually, in the month of January, meet in convention, and elect, by joint ballot, a City Clerk, who shall be sworn to the faithful discharge of the duties of his office, and shall

1898, c. 75.

5 Gray, 470,
note.

G. S. c. 48.

City Council
may con-
struct drains
and sewers.
1846, c. 109,
§ 19.

1869, c. 187.

Board of
Health.
1846, c. 109,
§ 20.
1830, c. 94.
1834, c. 79.
1849, c. 211.

City Council
may provide
for election
of necessary
officers.
1846, c. 109,
§ 21.

Members of
City Council
ineligible to
other offices.

City Clerk.
1846, c. 109,
§ 22.
1868, c. 155.

Duties of
City Clerk.

hold his office one year, and until another shall be chosen and qualified; removable, however, at the pleasure of the City Council. The City Clerk shall be *ex officio* clerk of the Board composed of the Mayor and Aldermen. He shall keep a journal of all the votes and proceedings of the Mayor and Aldermen, and also of the City Council when sitting in convention, and shall perform such other duties as the Mayor and Aldermen or the City Council shall prescribe. He shall also perform all the duties, and exercise all the powers, incumbent upon and vested in the Town Clerk of the Town of Cambridge. He shall deliver to his successor in office, as soon as chosen and qualified, all journals, records, record-books, papers, documents, or other things, held by him in his capacity of City Clerk.

City Treasurer, etc.
1846, c. 109,
§ 22.
1858, c. 155.
1867, c. 75.
1870, c. 229.

Vacancies in
certain
boards.

SECT. 23. The City Council shall also, in the month of January, annually, in convention, and by joint ballot, elect a City Treasurer, who shall be the Collector of Taxes, and all other subordinate officers, who are not chosen by the inhabitants or appointed by the Mayor and Aldermen; and shall also fill all vacancies which shall exist in the Boards of Assessors, Assistant Assessors, or Overseers of the Poor, by reason of a failure to elect by the inhabitants at the annual meeting. The candidates for filling such vacancies shall be determined in the manner provided by the Constitution of the Commonwealth for fixing upon candidates to fill vacancies in the State Senate.

1857, c. 75,
§ 2.

All vacancies in either of said boards of officers, arising from any other cause, may be filled by the City Council in like manner from the citizens at large.¹

School Committee.
1846, c. 109,
§ 26.
1857, c. 75.
1867, c. 68.

SECT. 24. The qualified voters of the city, at the annual meeting, shall choose one person from each ward, to serve as a member of the School Committee

¹ For mode of filling vacancies in the School Committee, see Gen. Stat. ch. 38 §§ 17-18.

for the term of three years; six persons to be Overseers of the Poor, two from the district comprising the First and Fifth wards; two from the district comprising the Second and Fourth wards; and two from the district known as the Third Ward; one person to be an Assessor for the term of three years; and such numbers of Assistant Assessors as the City Council shall determine, to hold office for the term of one year. The Assessors and Assistant Assessors shall be sworn to the faithful discharge of the duties of their office. The Board of Assessors shall exercise the powers, and be subject to the duties and liabilities, of Assessors of towns; and the Boards of School Committee and Overseers of the Poor, with the Mayor as chairman of each, shall perform all such duties as the school committees and overseers of the poor in towns are required by law to perform.

Overseers of the Poor.

Assessor.

Assistant Assessors.

Mayor to be chairman of School Committee and Overseers of Poor.

SECT. 25. All meetings of the inhabitants, for the election of county, state, or United States officers who are voted for by the people, shall be held in their respective wards, at the time fixed by law for those elections respectively.

Election of county, state, and national officers. 1848, c. 109, § 27. G. S. c. 8, § 10.

SECT. 26. All boards and officers, acting under the Act of Incorporation of the City of Cambridge, and intrusted with the expenditure of public money, shall be accountable therefor to the City Council, in such manner as they may direct.

Accountability of all boards and officers for public money. 1868, c. 155, § 9.

SECT. 27. No board or committee of the City Council, or of either branch thereof, shall make any contracts on behalf of, or binding upon, the said city, the amount of which contracts shall exceed the specific appropriations of the City Council previously made therefor.

No contract to exceed specific appropriation therefor. 1868, c. 155, § 10.

SECT. 28. Nothing in this Act contained shall be so construed as to prevent the Legislature from altering or amending the same, whenever they shall deem it expedient.

Power of Legislature to alter the Charter. 1848, c. 109, § 28.

ORIGINAL CHARTER.¹

1. Corporate powers.
2. City government. Quorum. Election of Mayor and Aldermen. Common Councilmen to be residents of the ward for which they are chosen.
3. Division into three wards. Number of members of Common Council.
4. Annual meeting for the election of city officers.
5. General and ward meetings.
6. Election of ward officers. Same to be sworn. Certificate of oath. Powers and duties of Warden. Inspectors of Elections. Duties of Ward Clerk. Election of Common Councilmen. Certificates of Election.
7. Election of Mayor and Aldermen. Failure to elect Mayor or Aldermen. Vacancy in office of Mayor by death or otherwise.
8. Organization of city government. Oath of office. Certificate of oath.
9. Powers and duties of Mayor. Salary of Mayor.
10. Meetings of Mayor and Aldermen.
11. Powers and duties of Mayor and Aldermen.
12. Examination and return of votes for county, state, or national officers. Failure to elect Representatives to General Court. General meeting of the citizens. Board of Aldermen to judge of election of its members. Vacancy.
13. Fire Department.
14. Common Council a separate body. President. Clerk. Sittings to be public. To judge of elections of its members. Vacancy.
15. Powers of City Council.
16. By-Laws. Fines and forfeitures. Complaints.
17. Duties of City Council. Annual financial statement.
18. City Council may lay out new streets or ways.
19. City Council may construct drains and sewers.
20. Board of Health.
21. City Council may provide for election of necessary officers. Members of City Council ineligible to other offices.
22. City Clerk. Duties.
23. City Treasurer. Collector of Taxes, etc. Vacancies in certain boards.
24. Number of Representatives to General Court.
25. Number of members of Common Council.
26. School Committee. Overseers of the Poor. Assessors and Assistant Assessors. Mayor to be Chairman of the School Committee and Overseers of the Poor.
27. Election of county, state, and national officers.
28. Provisions for first election under City Charter.

¹ The Act of the Legislature of Massachusetts establishing the City of Cambridge was passed March 17, 1846, and adopted by the inhabitants of Cambridge, March 30, 1846. (See Town Records, Vol. F. page 7.) For Amendments of the City Charter, see *post*.

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| 29. Organization of city government for 1846.
30. Annual town meeting for 1846 suspended.
31. Transfer of records, etc.
32. Repeal of certain acts. | 33. Power of the Legislature to alter the Charter.
34. Act to be submitted to the inhabitants.
35. When to go into operation. |
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SECT. 1. The inhabitants of the town of Cambridge, Corporate powers. 1846, c. 109. in the county of Middlesex, shall continue to be a body corporate and politic, under the name of the City of Cambridge; and, as such, shall have, exercise, and enjoy all the rights, immunities, powers, and privileges, and shall be subject to all the duties and obligations, now incumbent upon, and appertaining to, said town, as a municipal corporation.

SECT. 2. The administration of all the fiscal, prudential, and municipal affairs of said city, and the government thereof, shall be vested in one principal officer, to be styled the Mayor; one council of six, to be denominated the Board of Aldermen; and one council of twenty, to be denominated the Board of Common Council, — which two Boards shall, in their joint capacity, be denominated the City Council. City government. A majority quorum. of each Board shall constitute a quorum for the transaction of business. No member of either Board shall receive any compensation for his services.

The Mayor and Aldermen shall be chosen by the inhabitants of the city at large, voting in their respective wards. Election of Mayor and Aldermen.

The members of the Common Council shall be apportioned among the several wards, as nearly as may be, according to the number of inhabitants therein; and each ward shall elect the number of Common Councilmen to which it shall be entitled on such apportionment, from persons who shall be residents in the ward by which they shall be chosen. Common Councilmen to be residents of the ward for which they are chosen.

SECT. 3. The City of Cambridge hereby is, and shall Division into three wards.

Number of
members of
Common
Council.

continue to be, divided into three wards; and the boundaries thereof shall be the same as the boundaries of the wards into which the town of Cambridge is now divided. But the City Council shall, once in five years, and not oftener, revise the same, and may, by a vote of not less than two-thirds of the members of each Board present, and voting thereon, so alter the boundaries of said wards as shall be most for the convenience of the inhabitants thereof. For the first five years after the passage of this Act, the ward now known as Ward Number One shall elect five members of the Common Council; the ward now known as Ward Number Two shall elect nine members of the Common Council; and the ward now known as Ward Number Three shall elect six members of the Common Council.

Annual
meeting for
the election
of city off-
icers.

SECT. 4. The annual meeting of the inhabitants for the choice of city officers shall be holden on the first Monday in March; and all city and ward officers who are chosen by the people shall be chosen by ballot, and shall hold their respective offices for one year from the first Monday in April succeeding the annual meeting, and until others shall be chosen and qualified to act in their stead.

General and
ward meet-
ings.

SECT. 5. All meetings of the inhabitants for the purpose of voting at elections, or for the transaction of municipal affairs, whether in general or in ward meetings, shall be holden in pursuance of warrants for that purpose, which shall be issued by the Mayor and Aldermen, and shall be in such form, and served and returned in such manner, and at such time, as the City Council by any by-law shall direct.

Election of
ward officers

Same to be
sworn.

SECT. 6. Each ward, at the annual meeting, shall choose for itself a Warden, Clerk, and three Inspectors of Elections, who shall be sworn to the faithful and impartial discharge of their respective duties relative to

elections ; a certificate that said oath has been taken shall be entered in the records of the ward by the Clerk thereof. Certificate of oath.

The Warden shall preside at all ward meetings, and shall be invested with all the powers, and shall perform all the duties, of a moderator of town meetings. If, at any such meeting, the Warden shall not be present, the Clerk shall call the meeting to order, and preside until a Warden *pro tempore* shall be chosen ; and if the Clerk shall not be present, a Clerk *pro tempore* shall be chosen. Powers and duties of Warden.

The Inspectors of Elections shall, at all meetings, aid and assist the Warden in preserving order, and in assorting and counting the votes ; and all votes shall be assorted, counted, recorded, and declared, in open ward meeting. Inspectors of Elections.

The Clerk shall record in the ward records the votes and proceedings of all ward meetings, and shall enter on said record the names of all persons voted for, and the number of votes given for each, in words at length, and shall, within twenty-four hours after each and every ward meeting holden for the purpose of any election, deliver to the City Clerk a true copy of the record of such election, certified by himself, the Warden, and a majority of the Inspectors. The Clerk shall deliver to his successor in office all the records, record-books, journals, documents, papers, and other things held by him in his capacity of Clerk of the ward. Duties of Ward Clerk.

Each ward shall also, at the annual meeting, choose the number of Common Councilmen which it shall be entitled to elect. But if the choice of ward officers or Common Councilmen cannot be conveniently effected or completed on that day, the meeting shall be adjourned from day to day, to complete the choice. The Clerk of the Ward shall, within twenty-four hours after such choice, deliver to the respective persons elected Election of Common Councilmen. Certificate of election.

Common Councilmen a certificate of their election, signed by himself, the Warden, and a majority of the Inspectors.

**Election of
Mayor and
Aldermen.**

SECT. 7. The qualified voters in each ward shall, at the annual meeting, give in to the Warden and Inspectors their votes for a Mayor and six Aldermen; a copy of the record of which shall be delivered to the City Clerk, as provided in the preceding section. The City Clerk shall, immediately after receiving said copies, enter the same, or a plain and intelligible abstract thereof, on the city records, and then lay said copies before the Mayor and Aldermen, who shall thereupon examine the same, and cause the persons who shall have been chosen Mayor and Aldermen respectively, by a majority of votes in all the wards, to be notified in writing of their election.

**Failure to
elect Mayor
or Aldermen.**

If a Mayor, or the whole number of Aldermen, shall not have been so elected, or if either of the persons elected shall refuse to accept the office to which he was chosen, the Mayor and Aldermen shall make a record of the fact, and forthwith issue their warrant for another election; and the same proceedings shall be had, in all respects, as are provided in this section for the choice of Mayor and Aldermen; and the same shall be repeated from time to time, until a Mayor and the whole number of Aldermen shall have been chosen.

**Vacancy in
office of
Mayor by
death or oth-
erwise.**

Whenever the office of Mayor shall become vacant, by death, resignation, or otherwise, the Boards of Aldermen and Common Council shall, respectively, by vote, declare the same, and the cause thereof, and the expediency of filling such vacancy; and the two Boards shall thereupon meet in convention, and elect a Mayor to fill such vacancy so long as said cause shall continue, or until a new election.

SECT. 8. The Mayor, Aldermen, and Common Council

shall, before entering on the duties of their office, be sworn to the faithful performance of the duties of their respective offices; and for that purpose shall meet in convention on the first Monday in April in each year, at ten of the clock in the forenoon, when such oath may be administered to the Mayor elect, if present, by any judge of any court of record in the Commonwealth, or by any justice of the peace for the county of Middlesex; and to the Aldermen and Common Councilmen by the Mayor, he being first sworn as aforesaid, or by such justice of the peace. A certificate that such oath has been taken shall be entered in the journal of the Mayor and Aldermen, and of the Common Council, by their respective Clerks. If, from any cause, the Mayor, or any one or more of the Aldermen or Common Councilmen, shall not be present on the first Monday in April, to take the oath required of them, the same may be administered to them at any time thereafter, before entering on the duties of their office.

Organization
of city gov-
ernment.

Oath of of-
fice.

Certificate of
oath.

SECT. 9. The Mayor, thus chosen and qualified, shall be the chief executive officer of the city. He shall cause the laws and regulations of the city to be executed and enforced. He shall exercise a general supervision over the conduct of all subordinate officers, and cause their violation or neglect of duty to be punished. He may call special meetings of the Boards of Aldermen and Common Council, or either of them, when in his opinion the interests of the city require it, by causing a notification to be left at the usual dwelling-place of each member of the Board or Boards to be convened. He shall, from time to time, communicate to said Boards, respectively, such information, and recommend such measures, as the interests of the city shall in his judgment require. He shall preside in the

Powers and
duties of
Mayor.

Salary of
Mayor.

Board of Aldermen, and in joint meeting of the two Boards; but shall have a casting vote only. He shall have the exclusive power of nomination in all cases in which appointments are directed to be made by the Mayor and Aldermen; but such nominations shall be confirmed or rejected by the Board of Aldermen. He shall be *ex officio* chairman of the School Committee, and of the Board of Overseers of the Poor. His salary for the first year under this Charter shall be six hundred dollars, and no more. He shall afterwards receive for his services such salary as the City Council shall determine, payable at stated periods, and shall receive no other compensation; but such salary shall not be increased or diminished during his continuance in office.

Meetings of
Mayor and
Aldermen.

SECT. 10. The Mayor and Aldermen shall compose one Board, and shall sit and act together as one body, at all meetings of which the Mayor shall preside, if present; but in his absence, the Board may choose a chairman for the time being. All their sittings shall be public, when not engaged in executive business.

Powers and
duties of
Mayor and
Aldermen.

SECT. 11. The executive powers of the city and the administration of police, with all the powers heretofore vested by law in the Selectmen of Cambridge, shall be vested in the Mayor and Aldermen, as fully as if the same were herein specifically enumerated. They shall have exclusive power to appoint a City Marshal and assistants, a Constable or Constables, and all other police officers, and to remove the same from office, for sufficient cause. They may require the Marshal and Constables, before entering on the duties of their office, to give bonds, with sufficient sureties, to any reasonable amount, upon which the like proceedings and remedies may be had as are by law provided in case of constables' bonds required by selectmen of towns in this Commonwealth. They shall have power to grant licenses to

innholders and victuallers, and retailers within the city, in the same manner as the Mayor and Aldermen of the city of Boston now have by provision of law. They shall prepare, revise, correct, and post up, in the manner that selectmen of towns are required to do, an alphabetical list of voters in each ward of the city; and for that purpose shall have access to the Assessors' books and lists, and be entitled to the aid and assistance of the Assessors, Collector, and other city officers, and shall deliver the lists so prepared and corrected to the Clerks of the respective wards, to be used at elections. And they shall do and perform all the duties which the selectmen of towns are by law required to do and perform within their respective towns, unless it be otherwise provided in this Act.

SECT. 12. The Mayor and Aldermen shall, within two days after every meeting of the inhabitants holden for the choice of county, state, or United States officers, examine and compare the copies of the record of votes returned from all the wards, and make out returns of the same, including the names of all the persons voted for, and the number of votes given for each; which returns shall be signed by the Mayor and a majority of the Aldermen, and countersigned by the City Clerk, and shall be transmitted or delivered in the manner that similar returns are required to be made by selectmen of towns. They shall notify the persons chosen to represent the city in the General Court of their election, within three days after the choice; and if the whole number of Representatives determined upon by the City Council shall not have been chosen at any such meeting, they shall forthwith issue their warrant for a new election, conformably to the Constitution and laws of the Commonwealth.

Examination
and return
of votes for
county,
state, or na-
tional offi-
cers.

Failure to
elect Repre-
sentatives to
General
Court.

The Mayor and Aldermen shall issue their warrant

General
meeting of
the citizens.

for a general meeting of the inhabitants, for any constitutional or legal purpose, whenever requested to do so, in writing, by thirty legal voters.

Board of Aldermen to
judge of
election of
its members.
Vacancy.

The Board of Aldermen shall be the final judge of the election and qualification of its members; and whenever a vacancy shall occur therein, by death, resignation, or otherwise, may order a new election.

Fire Department.
1832, c. 139.
1836, c. 87.

SECT. 13. An Act establishing the Fire Department in the town of Cambridge, passed March seventeenth, one thousand eight hundred and thirty-two, and an Act in addition thereto, passed March thirtieth, one thousand eight hundred and thirty-five, shall continue in force, and all the power and authority now vested in the Selectmen of Cambridge, in relation to the Fire Department in that town, shall be transferred to, and vested in, the Mayor and Aldermen.

Common
Council a
separate
body.

SECT. 14. The persons chosen and qualified as members of the Common Council shall sit and act together as one body, distinct from the Mayor and Aldermen, except when the two bodies are required to meet and act in convention. The said Council shall, from time to time, choose one of its members to preside at all meetings of the Board, and preserve order therein; and shall also choose a Clerk, who shall be sworn to the faithful discharge of the duties of that office, and shall hold such office during the pleasure of the Council. The Clerk so chosen and qualified shall attend the Common Council when in session, and keep a journal of its acts, votes, and proceedings, and perform such other services in his said office as the Council may require. All sittings of the Common Council shall be public. The Common Council shall be the final judge of the election and qualifications of its members; and whenever a vacancy shall occur therein, by death, resignation, or otherwise, may order a new election.

President.

Clerk.

Sittings to be
public.

To judge of
election of
its members.

Vacancy.

SECT. 15. All the powers now vested by law in the town of Cambridge, or in the inhabitants thereof, as a municipal corporation, shall be vested in the City Council, composed as provided in the second section, and shall be exercised by concurrent vote, each Board having a negative on the other. Powers of City Council.

SECT. 16. The City Council shall have power to make all such salutary and needful by-laws as towns, by the laws of the Commonwealth, have power to make, and to annex penalties, not exceeding twenty dollars, for the breach thereof; which by-laws shall take effect and be in force from the time therein limited, without the sanction or confirmation of any other authority whatever. All such by-laws and all city ordinances shall be duly published, and in such newspaper or newspapers as the City Council shall direct. All fines and forfeitures for the violation of any by-law or ordinance of the city shall be recovered by complaint before any justice of the peace for the county of Middlesex, and shall enure to such uses as the City Council shall direct; but the party prosecuted shall have the right of appeal to the Court of Common Pleas, in the same manner, and upon the same terms and conditions, as are provided by law for appeals from the judgment of justices of the peace in other criminal prosecutions. It shall be sufficient, in any such complaint, to set out the offence plainly and substantially; but the by-law or ordinance on which the complaint is founded need not be recited or set out. By-laws. Fines and forfeitures. Complaints.

SECT. 17. The City Council shall take proper care that no money be paid out from the city treasury unless previously granted and appropriated; shall secure a just and proper accountability from all persons intrusted with the receipt, custody, or disbursement of the moneys or funds of the city; shall have the care Duties of City Council.

Annual
financial
statement.

and superintendence of the city buildings and all city property; and the power to let or sell what may be legally let or sold, and to purchase property, real or personal, in the name, and for the use of the city, whenever the interest or convenience of the city shall require it. The City Council shall, once in every year at least, publish, for the use and information of the inhabitants, a particular account of the receipts and expenditures of the city and a schedule of the property and debts of the city.

City Council
may lay out
new streets
or ways.

SECT. 18. The City Council shall have exclusive authority and power to lay out new streets or ways within said city, and to estimate the damage which any person shall sustain thereby; but all petitions and questions relating to the laying out, widening, altering, or discontinuing of any street or way shall be first acted on by the Mayor and Aldermen. Any person aggrieved by the decision or judgment of the Mayor and Aldermen, or of the City Council, in relation to the laying out, widening, altering, or discontinuing of any street or way, or in the estimate of damages, may, within six months thereafter, make complaint to the County Commissioners in the County of Middlesex; upon which complaint the same proceedings shall be had as are provided in the twenty-fourth chapter of the Revised Statutes, in cases where persons are aggrieved by the decision or judgment of selectmen of towns.

City Council
may con-
struct drains
and sewers.

SECT. 19. The City Council shall have the power to construct drains and common sewers through any highways, streets, or private lands, paying the owners such damage as they shall sustain thereby; and to require all persons to pay a reasonable sum for the right to open any drain into such public drain or common sewer.

SECT. 20. All the power and authority now vested by law in the Board of Health for the town of Cambridge shall be transferred to and vested in the City Council, and shall be carried into execution by the appointment of Health Commissioners, or in such other manner as the City Council shall determine.

Board of Health.

SECT. 21. The City Council shall have the power to provide for the appointment or election of all necessary officers for the good government of the city, not otherwise provided for, and to prescribe their duties and fix their compensation; but no person shall be elected by the City Council, or appointed by the Mayor and Aldermen, to any office or emolument, who, at the time of his election or appointment, shall be a member of the Board of Aldermen, or of the Common Council.

City Council may provide for election of necessary officers.

Members of City Council ineligible to other offices.

SECT. 22. The City Council shall, annually, in the month of April, meet in convention, and elect by joint ballot, a City Clerk, who shall be sworn to the faithful discharge of the duties of his office, and shall hold his office one year, and until another shall be chosen and qualified; removable, however, at the pleasure of the City Council. The City Clerk shall be *ex officio* clerk of the Board composed of the Mayor and Aldermen. He shall keep a journal of all the votes and proceedings of the Mayor and Aldermen, and also of the City Council when sitting in convention, and shall perform such other duties as the Mayor and Aldermen or the City Council shall prescribe. He shall also perform all the duties, and exercise all the powers, incumbent upon and vested in the Town Clerk of the town of Cambridge. He shall deliver to his successor in office, as soon as chosen and qualified, all journals, records, record-books, papers, documents, or other things, held by him in his capacity of City Clerk.

City Clerk.

Duties of City Clerk.

SECT. 23. The City Council shall also, in the month

City Treasurer, Collector of Taxes, etc.

Vacancies in certain boards.

Number of Representatives to General Court.

Number of members of Common Council.

School Committee.

Overseers of the Poor.

Assessors and Assistant Assessors.

of April, annually, in convention, and by joint ballot, elect a City Treasurer, a Collector of Taxes, and all other subordinate officers, who are not chosen by the inhabitants or appointed by the Mayor and Aldermen; and shall also fill all vacancies which shall exist in the Boards of Assessors, Assistant Assessors, Overseers of the Poor, or School Committee, by reason of a failure to elect by the inhabitants at the annual meeting. The candidates for filling such vacancies shall be determined in the manner provided by the Constitution of the Commonwealth for fixing upon candidates to fill vacancies in the State Senate.

SECT. 24. The City Council shall, annually, in the month of October, meet in convention, and determine the number of Representatives which the city shall elect to the General Court, and publish such determination, which shall be conclusive; and the number thus determined shall be specified in the warrant calling the meeting for the election of Representatives.

SECT. 25. The City Council shall, in the month of January, in the year one thousand eight hundred and fifty-one, and once in every five years thereafter, determine the number of members of the Common Council which each ward shall be entitled to elect, as provided in the second section.

SECT. 26. The qualified voters of the city, at the annual meeting, shall choose seven persons for a School Committee, two of whom shall be residents in Ward Number One, three in Ward Number Two, and two in Ward Number Three; six persons to be Overseers of the Poor, two of whom shall be residents in each ward; three persons to be Assessors, one of whom shall be a resident in each ward; and such number of Assistant Assessors as the City Council shall determine. The Assessors and Assistant Assessors

shall be sworn to the faithful discharge of the duties of their office, and shall perform all such duties as the assessors of towns are required by law to perform; and the Boards of School Committee and Overseers of the Poor, with the Mayor as chairman of each, shall perform all such duties as the school committees and overseers of the poor in towns are required by law to perform.

Mayor to be chairman of School Committee and Overseers of Poor.

SECT. 27. All meetings of the inhabitants, for the election of county, state, or United States officers who are voted for by the people, shall be held in their respective wards, at the time fixed by law for those elections respectively.

Election of county, state, and national officers.

SECT. 28. After the acceptance of this Act by the inhabitants of the town of Cambridge, and during the month of April in the present year, the Selectmen of said town, for the purpose of the first election under this Charter, shall issue their warrant for a meeting of the inhabitants in their respective wards, for the choice of all city officers who are directed to be chosen by the people, and such county officers as are to be voted for by other towns in the county of Middlesex at their annual meeting in the present year. Such warrant shall be served seven days, at least, before the time appointed for said meeting, and shall designate the time and place of the meeting in the respective wards.

Provisions for first election under City Charter.

At said meeting, the wards respectively shall choose a Warden, Clerk, three Inspectors of Elections, and the number of members of the Common Council which they are entitled to elect by the third section of this Act; and shall also give in their votes for a Mayor, six Aldermen, seven members of the School Committee, six Overseers of the Poor, three Assessors, and such county officers as are then to be voted for.

Same subject.

If the whole number of ward officers or Common

Same subject.

Councilmen, in either ward, cannot be chosen on that day, the meeting may be adjourned from day to day, to complete the choice. The Clerks of the respective wards shall deliver certificates to the persons elected members of the Common Council, and copies of the record of the election to said Selectmen, within the time, and signed and certified in the manner, provided in the sixth section. The Selectmen shall, within two days after receiving said returns, examine and compare the same, ascertain the result of the election, and give notice in writing, to the persons chosen Mayor and Aldermen, of their election. If a Mayor, or the whole number of Aldermen, shall not have been elected at such meeting, the Selectmen shall forthwith issue their warrant for another meeting, as provided in this section; and the same proceedings shall be had and repeated, until a Mayor and six Aldermen shall have been chosen. Any legal voter in the respective wards may call the said first meeting to order, and preside until a Warden shall have been chosen.

Organization
of city gov-
ernment for
1846.

SECT. 29. Immediately after the election of city officers, as provided in the preceding section, the said Selectmen shall appoint a place, and some day not later than the first Monday in June of the present year, for the first meeting of the City Council, and for the organization of the city government established by this Act; and shall give notice thereof in writing to all the city officers elect, and shall also publish a notice thereof in one or more newspapers printed in Boston.

Same sub-
ject.

The Mayor, Aldermen, members of the Common Council, and all other city officers elect, shall meet at the time and place designated in such notices, and shall respectively take the oath required of them by this Act, and shall then enter upon and perform all the duties of their respective offices, in the same manner

as if they had been elected prior to the first Monday in April of the present year.

SECT. 30. The annual town meeting of the town of Cambridge, for the present year, shall be suspended, and may be holden in the month of May or June, if this Act shall not be adopted by the inhabitants of the town, as provided in the thirty-fourth section.

SECT. 31. All officers of the town of Cambridge, having the care and custody of any records, papers, or property belonging to said town, shall deliver the same to the City Clerk within one week after his entering upon the duties of his office.

SECT. 32. All Acts and parts of Acts, inconsistent with the provisions of this Act, are hereby repealed.

SECT. 33. Nothing in this Act contained shall be so construed as to prevent the Legislature from altering or amending the same, whenever they shall deem it expedient.

SECT. 34. This Act shall be void, unless the inhabitants of the town of Cambridge, at a legal town meeting, called for that purpose, shall, by a majority of the voters present, and voting thereon by ballot, determine to adopt the same, within twenty days after its passage.

SECT. 35. This Act shall go into operation from and after its passage.

AMENDMENT OF CITY CHARTER.¹

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| <ol style="list-style-type: none"> 1. Alteration of time of holding annual election. 2. Alteration of time of electing City Clerk, City Treasurer, and Collector of Taxes, and of filling vacancies in certain boards. 3. Commencement of municipal year. 4. Boundaries of wards, and number of members of Common Council. 5, 6. Fire Department. | <ol style="list-style-type: none"> 7. City Council may lay out new streets or ways. Damages. 8. City Council may fill vacancies in certain boards. 9. Accountability of all boards and officers for public money. 10. No contract to exceed specific appropriation therefor. 11. Repeal of certain Acts. 12. Act to be submitted to inhabitants. |
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Alteration of
time of hold-
ing annual
election.
1853, c. 155.

Original
Charter, § 4.

Proviso.

SECT. 1. The election of Mayor, Aldermen, and Common Councilmen, and such other officers of the City of Cambridge as are now by law to be chosen on the first Monday in March annually, shall in future be made on the first Monday in December annually; and the said officers, so chosen, shall hold their respective offices for the same term of time, and the same proceedings shall be had in relation to such elections, as are provided in the Act entitled, "An Act to establish the City of Cambridge," to which this is in addition: *Provided*, nevertheless, that the next choice of the said city officers, after the acceptance of this Act by the inhabitants of the said city of Cambridge, as hereinafter provided, shall be made at such time, and in such manner, as are prescribed in the Act aforesaid: and the officers so elected shall severally hold their offices until the first Monday of January next succeeding

¹ This Act in addition to an Act to establish the City of Cambridge, was passed April 14, 1853, and adopted by the inhabitants of the city, December 5, 1853. (See Records, Vol. H. page 83.)

such election; anything in this Act to the contrary notwithstanding.

SECT. 2. The election of a City Clerk, a City Treasurer, and a Collector of Taxes, who are now by law to be chosen, and all vacancies which are now by law to be filled, by the City Council, in the month of April annually, shall in future be respectively made and filled by the City Council in the month of January annually, in the like form and manner, and for the same term of service, as are prescribed in the Act to which this act is in addition: *Provided*, nevertheless, Alteration of time of electing City Clerk, City Treasurer, and Collector of Taxes, and of filling vacancies in certain boards. Provide. that the next choice of such officers, and the next vacancies occurring, after the acceptance of this Act by the inhabitants aforesaid, as hereinafter provided, shall be made and filled at such time, and in such manner, as are prescribed in the Act aforesaid, to which this is in addition; and the officers so elected shall severally hold their offices until the first Monday in January next succeeding such election; anything in this Act to the contrary notwithstanding.

SECT. 3. The officers chosen by virtue of this Act shall enter upon the duties of their respective offices on the first Monday in January in each year, and shall be liable to all the duties and restrictions, and shall exercise all the powers, to which the said officers are respectively subject or entitled, by virtue of the Act to which this is in addition, and of all other Acts having relation to this subject-matter. Commencement of municipal year.

SECT. 4. The boundaries of the several wards, and the number of members of the Common Council which each ward shall be entitled to elect, shall continue to be the same as at present established, until the month of October, in the year one thousand eight hundred and fifty-six; at which time, and once in every five years thereafter, the City Council shall revise the same, Boundaries of wards, and number of members of Common Council.

and make such alterations therein, in like form and manner, as are prescribed in the Act to which this is in addition.

Fire Department.

SECT. 5. The City Council of the City of Cambridge may establish a Fire Department for the said city, to consist of so many engineers and other officers, and so many enginemen and other members, as the City Council, by ordinance, shall from time to time prescribe; and the said City Council shall have authority to make such provisions in regard to the time and mode of appointment, and the occasion and mode of removal, of either such officers or members and to make such requisitions in regard to their conduct and government, and to the management and conduct of fires and persons attending at fires, subject to the penalties provided for the breach of the city by-laws, as they shall deem expedient: *Provided*, that the appointment of enginemen, hosemen, and hook-and-ladder-men, shall be made by the Mayor and Aldermen exclusively.

Same subject.

SECT. 6. An Act establishing a Fire Department in the town of Cambridge, passed March seventeenth, in the year one thousand eight hundred and thirty-two, and an Act in addition thereto, passed March thirtieth, in the year one thousand eight hundred and thirty-five, shall continue in force, except in regard to the power of making by-laws and publishing the same, and except also in so far as they are otherwise inconsistent with the preceding section, in which respects they shall be void.

City Council may lay out new streets or ways.

SECT. 7. The City Council shall have exclusive power and authority to lay out new streets or ways within the said city, and to estimate the damage which any person shall sustain thereby; but all petitions and questions relating to the laying out, widening, altering, or discontinuing of any street or way, shall be first acted

upon by the Mayor and Aldermen. Any person dissatisfied with the decision of the City Council in the estimate of damages may, within six months thereafter, make a complaint to the County Commissioners, in the County of Middlesex; upon which complaint the same proceedings shall be had as are provided in the twenty-fourth chapter of the Revised Statutes, in cases where persons are aggrieved by the assessment of damages by selectmen. Damages.

SECT. 8. If a vacancy shall exist in any of the Boards of Assessors, Assistant Assessors, Overseers of the Poor, or School Committee, by failure of the inhabitants to elect, by neglect or refusal to serve, by death, resignation, or any other cause, the City Council shall fill such vacancy as soon as may be after the knowledge of the fact: *Provided*, that nothing herein contained shall be construed to prevent the operation of the Act passed on the twenty-sixth day of April, in the year one thousand eight hundred and forty-nine, being chapter one hundred and forty-four of the Acts of said year, relating to such vacancies, therein mentioned, as may occur in the School Committee after the date of the warrant for the annual town meeting for the election of their successors. City Council to fill vacancies in certain boards.

SECT. 9. All boards and officers, acting under the Act of Incorporation of the City of Cambridge, and intrusted with the expenditure of public money, shall be accountable therefor to the City Council, in such manner as they may direct. Accountability of all boards and officers for public money.

SECT. 10. No board or committee of the City Council, or of either branch thereof, shall make any contracts on behalf of, or binding upon, the said city, the amount of which contracts shall exceed the specific appropriations of the City Council previously made therefor. No contract to exceed specific appropriation therefor.

SECT. 11. All Acts and parts of Acts inconsistent with the provisions of this Act are hereby repealed. Repeal of certain Acts.

Act to be
submitted to
inhabitants. **SECT. 12.** This Act shall be void, unless the inhabitants of the said City of Cambridge, at a legal meeting called for that purpose, shall, by a majority of the voters present, and voting thereon by ballot, determine to adopt the same.

AMENDMENT OF CITY CHARTER.¹

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| <ol style="list-style-type: none">1. Election of Assessors. Assistant Assessors.2. City Council to fill certain vacancies.3. School Committee.4. City Council to elect subordinate officers, etc. Doings confirmed.5. Vacancy in ward offices.6. Officers <i>pro tem</i>. | <ol style="list-style-type: none">7. Presiding officer.8. Boundaries of wards to be revised every five years, from October, 1857. Proviso.9. Additional Aldermen.10. Inconsistent Acts repealed.11. Act void unless adopted within six months. |
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SECT. 1. The qualified voters of the City of Cambridge, ^{Election of Assessors.} at their annual meeting for the election of municipal ^{Stat. 1857 c. 76.} officers, first to be held after the passage of this Act, shall elect three persons to be Assessors; and the person who receives the highest number of votes, or, in case two or more persons receive an equal number of votes, the person who is senior by age, shall hold the office for three years, and until another is chosen and qualified in his stead; and the person who receives the next highest number of votes, or who is senior by age in the contingency aforesaid, shall hold the office for two years, and until another is chosen and qualified in his stead; and the other person shall hold the office for one year, and until another is chosen and qualified in his stead; and at every subsequent election one person shall be chosen to be an Assessor for three years, and until another is chosen and qualified in his stead; and the persons thus chosen Assessors shall constitute

¹ This Act, in further addition to an Act to establish the City of Cambridge, was passed April 22, 1857, and adopted by the inhabitants of the city, May 1, 1857. (See Records, Vol. I. p. 323.)

Assistant Assessors. the Board of Assessors, and shall exercise the powers, and be subject to the duties and liabilities, of assessors of towns. The qualified voters shall, at the same time, and in like manner, elect such number of Assistant Assessors as the City Council may from time to time determine, and such Assistant Assessors shall hold their office for the term of one year.

City Council to fill certain vacancies. SECT. 2. The City Council shall, in the month of January, annually, in convention, and by joint ballot, fill all vacancies that may exist in the Overseers of the Poor, or in the Assessors or Assistant Assessors, by reason of a failure to elect by the inhabitants at their annual meeting. The candidates for filling such vacancies shall be determined in the manner provided in the Constitution of the Commonwealth for filling vacancies in the State Senate. All vacancies in either of said boards of officers, arising from any other cause, may be filled by the City Council in like manner from the citizens at large.

School Committee. SECT. 3. The qualified voters of the city, at the annual meeting, shall choose ten persons for a School Committee, three of whom shall be residents of Ward numbered One, four of Ward numbered Two, and three of Ward numbered Three; but whenever the number of wards shall be increased to four, there shall be chosen two from each ward and two at large; and whenever a greater number of wards shall be constituted, there shall be chosen two from each ward.

City Council to elect subordinate officers, etc. SECT. 4. In addition to the election of officers in the month of January, provided for in the "Act in addition to 'An Act to establish the City of Cambridge,'" approved April fourteenth, one thousand eight hundred and fifty-three, the City Council shall, in the month of January, annually, in convention and by joint ballot, elect all subordinate officers who are not chosen by the

inhabitants, or appointed by the Mayor and Aldermen; and the doings of the City Council in the election of such subordinate officers, for the years one thousand eight hundred and fifty-five, one thousand eight hundred and fifty-six, and one thousand eight hundred and fifty-seven, are hereby confirmed, and shall be as valid and effectual as if the elections had been made in accordance with the provisions of the Acts to which this act is in addition.

SECT. 5. Whenever it shall appear to the Mayor and Aldermen that there is a vacancy in any of the ward offices, it shall be their duty to issue their warrant in due form to fill all such vacancies, at such time and place as they may deem advisable; and the same proceedings shall be had, and adjournments, if necessary, as are prescribed for the election of such officers at the annual meeting.

SECT. 6. In case of the absence of any ward officer at any ward meeting, such officer may be chosen *pro tempore*, and shall have all the powers, and be subject to all the duties, of the regular officer at such meeting.

SECT. 7. It shall be the duty of the Warden to preside at all ward meetings, with the powers of moderators of town meetings. In case of his absence, the Clerk, and in case of the absence of the Clerk, any Inspector shall preside, according to seniority, until a Warden shall be chosen, as above provided.

SECT. 8. The boundaries of the several wards, and the number of members of the Common Council which each shall be entitled to elect, shall continue the same as at present established, until the month of October, in the year one thousand eight hundred and fifty-seven, at which time, and every fifth year thereafter, the City Council shall revise the boundaries of the wards, and may increase the number thereof, and apportion the

Doings con-
firmed.

Vacancy in
ward offices

Officers *pro*
tem.

Presiding
officer

Boundaries
of wards to
be revised
every five
years, from
October,
1857.

members of the Common Council to the several wards in accordance with the provisions of the Act to which this Act is in further addition: *Provided, however,* that the whole number of wards in the city shall not exceed five.

Additional
Aldermen.

SECT. 9. Whenever the number of wards shall be increased, as provided in the preceding section, the number of Aldermen shall be increased proportionally and the inhabitants shall be entitled to elect, annually, a number of Aldermen equal to twice the number of wards in the city.

Inconsistent
Acts re-
pealed.

SECT. 10. All Acts and parts of Acts inconsistent with the provisions of this Act, are hereby repealed.

Act void un-
less adopted
within six
months.

SECT. 11. This Act shall be void, unless the inhabitants of the City of Cambridge, at a legal meeting, called for that purpose, shall, by a majority of the voters present and voting thereon, by ballot, determine to adopt the same, within six months after its passage.

AMENDMENT OF CITY CHARTER¹

- | | |
|--|---|
| 1. Mayor to be chairman of School Committee, and of Overseers of the Poor. | 3. Inconsistent Acts repealed. |
| 2. Veto power of Mayor. | 4. Act void unless adopted within six months. |

SECT. 1. The Mayor of the City of Cambridge shall be *ex officio* Chairman of the School Committee, and of the Board of Overseers of the Poor; but shall have a casting vote only.

Mayor to be chairman.
Stat. 1869,
c. 386.

SECT. 2. Every ordinance, order, resolution or vote, to which the concurrence of the Board of Aldermen and of the Common Council may be necessary (except on a question of convention of the two branches), and every order of either branch, involving the expenditure of money, shall be presented to the Mayor. If he approve thereof, he shall signify his approbation by signing the same; but if not, he shall return the same with his objections to the branch in which it originated, which shall enter the objections of the Mayor at length on its records, and proceed to reconsider said ordinance, order, resolution or vote; and if, after such reconsideration, two thirds of the Board of Aldermen or Common Council, notwithstanding such objections, agree to pass the same, it shall, together with the objections, be sent to the other branch of the City Council (if it originally required concurrent action), where it shall also be re-

Veto power.

¹ This Act, in further addition to an Act to establish the City of Cambridge, was passed May 28, 1869, and adopted by the inhabitants of the city, Nov. 2, 1869. (See Records. Vol. N. p. 341.)

considered, and if approved by two thirds of the members present, it shall be in force; but in all cases the vote shall be determined by yeas and nays, and if such ordinance, order, resolution or vote shall not be returned within ten days after it shall have been presented, the same shall be in force. But the veto power of the Mayor shall not extend to the election of officers, required by any law or ordinance to be chosen by the City Council in convention, or by concurrent action, unless expressly so provided therein.

Inconsistent
Acts re-
pealed.

SECT. 3. All Acts and parts of Acts inconsistent with the provisions of this Act are hereby repealed.

Act void un-
less adopted
within six
months.

SECT. 4. This Act shall be void, unless the inhabitants of the City of Cambridge, at a legal meeting called for that purpose, shall, by a majority of the voters present and voting thereon by ballot, determine to adopt the same within six months after its passage.

AMENDMENT OF CITY CHARTER¹

- | | |
|---|--------------------------------|
| 1. City Treasurer to be Collector of Taxes. | 2. Inconsistent Acts repealed. |
| | 3. Act, when to take effect. |

SECT. 1. The City Treasurer of the City of Cambridge shall be the Collector of Taxes within and for said city.

City Treasurer to be Collector of Taxes.
Stat. 1870,
c. 229.

SECT. 2. All Acts and parts of Acts establishing the office of Collector of Taxes, and providing for the election of such officer in the City of Cambridge, are hereby repealed.

Inconsistent Acts repealed.

SECT. 3. This Act shall take effect from its passage.

Act, when to take effect.

¹ This Act, to amend the Charter of the City of Cambridge, was passed May 9, 1870.

CAMBRIDGE CEMETERY.

- | | |
|---|---|
| 1. Commissioners of Cambridge Cemetery. Vacancy in Board. Term of office. | 3. Sale of lots. |
| 2. Powers and duties of Commissioners. May make by-laws. | 4. Commissioners to report to City Council. |
| | 5. Acceptance of Act. |

Commissioners of
Cambridge
Cemetery.
Stat. 1866,
c. 44, § 1.

Vacancy in
Board.

Term of
office.

SECT. 1. The City Council of Cambridge is hereby authorized to elect, by joint ballot in convention, a board of six Commissioners, two members thereof to be elected each and every year, in the month of January, to hold office for the term of three years; the Mayor of the City of Cambridge for the time being to be chairman of said board *ex officio*. Said board shall have the sole care, superintendence, and management of the Cambridge Cemetery established by said City Council; but said board, or any member thereof, after having had an opportunity to be heard in his or their defence, may be removed at any time by a concurrent vote of two thirds of each branch of the City Council; and in case of a vacancy in said Board of Commissioners, by death, resignation, removal, or otherwise, such vacancy shall be filled by the choice of another Commissioner, in the manner aforesaid, who shall hold his office for the remainder of the term for which the member in whose place he shall be elected would have held the same. Said board may be organized by the choice of a secretary from their own number, and a majority of said board shall constitute a quorum for the transaction of business; and the term

for which the several members of the first Board of Commissioners to be so chosen shall hold their office shall be determined as follows: The first election to be made as soon as may be after the passage of this Act, and the Commissioners so chosen to be divided by lot into three classes; the first class to remain in office until January, eighteen hundred and fifty-six; the second class to remain in office until January, eighteen hundred and fifty-seven; and the third class shall remain in office until January, eighteen hundred and fifty-eight; after which first election two Commissioners shall be elected during the month of January in every year, and to hold office for the term of three years.

SECT. 2. The said Board of Commissioners shall lay out said Cemetery, or such parts thereof as are not already laid out, into such lots or subdivisions for burial-places as they shall think proper; and the said Commissioners shall set apart a portion of said Cemetery for a public burial-place, for the use of the inhabitants of said city, free of charge therefor. And it shall be the duty of said Commissioners, from time to time, as appropriations shall be made by the City Council therefor, to cause all necessary paths and avenues to be constructed therein, and to cause said Cemetery to be planted and embellished with trees, shrubs, flowers, and other rural ornaments, as they shall think proper. And said board may make all necessary by-laws and regulations in the execution of their trust, not inconsistent with this Act and the laws of the Commonwealth, as they shall deem expedient.

Powers and duties of Commissioners.

Ibid. § 2.

May make by-laws.

SECT. 3. Said Board of Commissioners shall have authority to sell to any person or persons the sole and exclusive right of burial, and of erecting tombs, cenotaphs, and monuments, in any of the designated lots or subdivisions of said Cemetery, upon such terms and

Sale of lots. Ibid. § 3.

conditions as they shall by their rules and regulations prescribe; but all deeds or conveyances of any of such lots shall be made in the name of the city, and shall be executed in behalf of the city by the City Clerk thereof for the time being, when requested to do so by the Commissioners; and the proceeds of such sales shall in all cases be paid into the city treasury.

Commissioners to report to City Council.
Ibid. § 4

SECT. 4. The said Board of Commissioners shall annually, in the month of January, and whenever required by the City Council, make and render a report of all their acts, doings, and proceedings, and of the condition of the Cemetery, and an account of the receipts and expenditures for the same.

Acceptance of Act.
Ibid. § 5.

SECT. 5. The Mayor and Aldermen of said city shall notify and warn the legal voters of said city to meet in their respective wards, on such day as they shall direct, not exceeding thirty days from the passage of this Act, for the purpose of giving in their written votes upon the question whether they will accept the same; and if a majority of the votes given upon said question shall be in the negative, then this Act shall be null and void.¹

¹ The Act of March 13, 1855, was accepted by the citizens of Cambridge, April 2, 1855.

POLICE COURT.

- | | |
|---|---|
| <ol style="list-style-type: none"> 1. Cambridge Police Court established. 2. Jurisdiction, exclusive and concurrent. 3. Warrants, where returnable. 4. Fees of Justices of the Peace issuing warrants. 5. Justices of the Peace in Cambridge to retain certain powers. 6. Appeals. 7. Fines and forfeitures. Costs. 8. Salary of Justice. 9. Courts, when to be holden. Rules for conducting business. | <ol style="list-style-type: none"> 10. Records and returns. Statement of fees to be made to City Council. 11. Fees to be paid over to City Treasurer. 12. Clerk. To be sworn, and to keep a record. 13. Jurisdiction not affected by interest, etc. 14. Special Justice. His compensation. 15. Actions pending at time of passage of Act. 16. Justices, how appointed. |
|---|---|

SECT. 1. A Police Court is hereby established in the City of Cambridge, to consist of one competent and discreet person, to be appointed and commissioned by the Governor, pursuant to the Constitution, as Standing Justice.

Cambridge
Police
Court es-
tablished.

Stat. 1854,
c. 336, § 1.

SECT. 2. The said Court shall have original and exclusive jurisdiction over all crimes, offences, and misdemeanors committed within said City of Cambridge, whereof justices of the peace now have or may hereafter have jurisdiction; also of all suits and actions which may now or at any time hereafter be heard, tried, and determined before any Justice of the Peace in the County of Middlesex, whenever all the parties shall reside in Cambridge, and service of the writ is had on the defendant in said county. The said Court shall have original and concurrent jurisdiction with Justices of the Peace in said County of Middlesex over all

Jurisdiction,
exclusive,
and concu-
rent.

Ibid. § 2

1853, c. 290.

crimes, offences, and misdemeanors whereof Justices of the Peace now have or hereafter may have jurisdiction; also of all suits and actions within the jurisdiction of any Justice of the Peace within the County of Middlesex.

Warrants,
where re-
turnable.
Ibid. § 3.

SECT. 3. All warrants issued by the said Court, or by any Justice of the Peace in Cambridge, in any criminal suit or prosecution, shall be made returnable before the said Court.

Fees of Jus-
tices of the
Peace issu-
ing warrants.
Ibid. § 4.

SECT. 4. No fees shall be allowed to any Justice of the Peace for any warrant issued by him, returnable before said court, unless it shall appear to the Court that there was just and reasonable cause for issuing the warrant.

Justices of
the Peace in
Cambridge to
retain cer-
tain powers.
Ibid. § 5.

SECT. 5. Every Justice of the Peace in the City of Cambridge shall, notwithstanding anything contained in this Act, have and exercise all the powers and duties of a conservator of the peace, for suppressing all affrays, riots, assaults and batteries, and for arresting all persons concerned therein; and all persons so arrested, whether upon a warrant in writing or otherwise, shall be brought before the said Court for examination, to be there dealt with according to law.

Appeals.
Ibid. § 6.

SECT. 6. An appeal shall be allowed from all judgments of said Police Court, in like manner, and to the same extent, that appeals are now allowed by law from judgments of Justices of the Peace; and the Justice of said Police Court shall not be of counsel to any party in any cause which may be pending in said court.

Fines and
forfeitures.
Ibid. § 7.

SECT. 7. All fines and forfeitures, and all costs in criminal prosecutions, which shall be received by or paid into the hands of the Justice of said Court, shall be by him accounted for and paid over to the same persons, in the same manner, and under the same penalties, as are

by law prescribed in the case of Justices of the Peace. All costs in such prosecutions not thus received shall ^{Costs.} be made up, taxed, certified, and allowed, and shall be paid in like manner as is provided by law in cases of justices of the peace.

SECT. 8. The Justice of said Court shall receive an ^{Salary of Justice.} annual salary of not less than one thousand dollars, the ^{Ibid. § 8.} amount of which, if above that sum, shall be determined not oftener than once in each year by the concurrent vote of the two branches of the City Council of said city; and said salary shall be paid to him in equal quarterly payments, out of the treasury of said city, and shall be in full for all services which he is or may hereafter be required or authorized to perform as said Justice.

SECT. 9. A court shall be holden by the said Standing ^{Courts, when to be holden.} Justice, or by the Special Justice, at some suitable and ^{Ibid. § 9.} convenient place, to be provided by the city, on every day of the week, Sundays and days of public thanksgiving and fast excepted, at such hour in the forenoon as said Standing Justice shall by general rule appoint, to take cognizance of crimes, offences, and misdemeanors, and on one fixed day of the week, at ten o'clock in the forenoon, and by adjournment so much oftener as may be necessary, for the entry and trial of civil actions, the hearing of motions, and such other civil business as may come before it. And the said Standing ^{Rules for conducting business.} Justice shall from time to time establish all necessary rules for the orderly and uniform conducting of the business of the said Court.

SECT. 10. The Justice of said court shall keep a fair ^{Records and returns.} record of all proceedings in said court, and shall make ^{Ibid. § 10.} return to the several courts of all legal processes, and of his doings therein, in the same manner as Justices of the Peace are now by law required to do; and he

Statement of fees to be made to City Council. shall also annually, in the month of December, exhibit to the City Council of the said City of Cambridge a true and faithful statement of moneys received by him as fees.

Fees to be paid over to City Treasurer. Ibid. § 11. SECT. 11. The Justice of said Court shall twice in every year, on the first day of June and on the first day of December, account for and pay over to the Treasurer of the said City of Cambridge all fees of every description received by him in the course of his judicial proceedings, civil or criminal.

Clerk. Ibid. § 12. SECT. 12. The Justice of said Court is hereby authorized to appoint a Clerk of said Police Court, to be paid by him, and to hold his office during the pleasure of said Justice, whenever, in his discretion, the business of the court shall require such appointment. And the Clerk so appointed shall be duly sworn to the faithful discharge of the duties of his office, and under the direction of the Justice shall keep a fair record of all the proceedings of said Court.

Jurisdiction not affected by interest, &c. Ibid. § 13. SECT. 13. The jurisdiction of said Police Court shall not be limited by reason of any interest on the part of the Justices of said Court in the payment of fines and costs into the treasury of the said City of Cambridge, or of the county of Middlesex.

Special Justice. Ibid. § 14. SECT. 14. There shall be appointed by the Governor, by and with the advice and consent of the Council, one Special Justice of said Court, who shall have power, in case of the absence, sickness, interest, or other disability of the Standing Justice, to issue the processes of said court, to hear and determine any matter or cause pending, and to exercise all the powers of the Standing Justice, until such disability be removed. His compensation. The said Special Justice shall be paid for the services performed by him, out of the salary of the Standing Justice, such sum as said Standing Justice would be entitled to for the same services.

SECT. 15. All suits, actions, and prosecutions, which shall be pending within the said City of Cambridge before any Justice of the Peace when this Act shall take effect, shall be heard and determined as though this Act had not passed.¹

Actions pending at time of passage of Act.

Ibid. § 15.

SECT. 16. The Governor shall have power, by and with the advice and consent of the Council, to appoint said Standing and Special Justice at any time after the passage of this Act.

Justices, how appointed.

Ibid. § 16

¹ The 17th section of the Act of April 19th, 1854, provided that said act should not take effect unless accepted by the City Council of Cambridge, within sixty days from its passage. Said Act was so accepted, June 7, 1854.

See Gen. Stat. c. 116, and subsequent statutes, concerning Police Court.

CITY OF CAMBRIDGE.

IN THE YEAR EIGHTEEN HUNDRED AND SEVENTY.

Be it ordained by the City Council of the City of Cambridge, as follows :—

CHAPTER I.

ACCOUNTS AND FINANCE.

- | | |
|--|--|
| 1. Joint Committee on Accounts. Duties of the Committee. | 11. All claims to be first allowed and certified. Appropriations not to be exceeded. |
| 2. Accounts must be accompanied by vouchers. | 12. Amount due on notes, etc., may be drawn for by Mayor. |
| 3. Auditor of Accounts, how appointed. | 13. Amount due on contracts, etc., may be drawn for on certificate of Committee. |
| 4. Bills, how to be examined and certified. | 14. Auditor to report to Committee on Accounts. |
| 5. Control of Appropriations. | 15. City officers to pay over moneys to the Treasurer. Treasurer to lay statement before City Council. |
| 6. Meetings to approve bills. | 16. Duties of City Treasurer. |
| 7. Bills to be stamped by Committee on Accounts. | 17. Joint Committee on Finance. |
| 8. Duties of Auditor. | 18. Its duties. |
| 9. Auditor to keep a book or ledger, etc. Committee on Accounts to allow no claim after appropriation is expended. | 19. Same subject. |
| 10. No money to be paid from city treasury, except on written order of Mayor, countersigned by Auditor. | 20. Treasurer and Auditor, when to make up their accounts. Financial year. |
| | 21. Form of City Bonds. |

SECT. 1. There shall be appointed, at the commencement of each municipal year, a Joint Standing Committee on Accounts, to consist of two members of the Board of Aldermen and three members of the Common Council; which Committee shall meet once, at least,

Joint Committee on Accounts.

Duties of the Committee.

in every month, and carefully examine and audit all accounts and claims against the city which shall be laid before them, certified as provided in the succeeding section, and shall allow and pass the same, if found to be correct, and justly due. The Committee on Accounts shall, immediately after the fifteenth day of each month, cause to be prepared a statement showing the amount of the various appropriations on that day, the amount expended out of each appropriation, and the balances remaining unexpended. The amount of all approved bills and of all orders drawn by the Mayor shall be included in amounts expended. This statement, when prepared, shall be printed, and a copy thereof furnished to each member of the City Council.

Accounts must be accompanied by vouchers.

SECT. 2. No account or claim against the city, other than judgments of the Judicial Courts, shall be received or acted on by the Committee on Accounts, unless such account or claim shall be accompanied by a certificate of some officer, committee, or agent authorized on behalf of the city to make the contract or cause the expenditure to be made, that the same is correct.

Auditor of Accounts, how appointed.

SECT. 3. At the commencement of each municipal year, there shall be elected, by joint vote of the City Council, an Auditor of Accounts, who shall receive such compensation for his services as the City Council shall from time to time determine.

Bills, how to be examined and certified.

SECT. 4. All accounts or claims against the city, before being sent to the Auditor of Accounts, shall be examined and certified by some board, or committee, special or standing, as hereinafter provided. Bills chargeable to the several appropriations hereinafter mentioned, shall be examined and certified by the boards or committees hereinafter designated : —

Instruction in Public Schools and Hopkins Fund —
by the School Committee.

Care of School-houses — by the Aldermen having charge of the several school-houses.

Repairs of School-houses, Burial-grounds, and such portion of Incidental Expenses as relates to Public Property — by the Committee on Public Property.

Almshouse and labor at Stone Ledge — by the Overseers of the Poor.

Police and Watch — by the Committee on Police.

Fire Department and Hydrants — by the Committee on the Fire Department.

Repairs of Streets and Sidewalks, Care and Repairs of Bridges and Paving — by the Committee on Roads and Bridges of the Board of Aldermen.

Sewers and Drains — by the Committee on Sewers and Drains.

Lighting Streets — by the Committee on Lamps.

Watering Streets — by the Committee on Watering Streets.

Volunteers and their Families — by the Committee on Cambridge Soldiers and their Families.

Salaries of City Officers — by the City Clerk.

Dana Library — by the Trustees of the Dana Library.

Water Works — by the Water Board.

Cemetery — by the Commissioners of the Cemetery.

Incidental Expenses, except as hereinbefore provided for, and any other claim or demand not clearly within the province of any Committee, and any claim or demand specially referred by any Committee — by the Board of Aldermen.

SECT. 5. The several Boards and Committees above mentioned, shall have the general supervision and control of the appropriations made to meet the expenditures of their departments respectively, and the va-

Control of
appropri-
ations.

rious officers more particularly charged with the disbursement of said appropriations shall advise with said Boards and Committees in relation to the making of such expenditures.

Meetings to
approve bills.

SECT. 6. The several Boards and Committees above mentioned shall hold regular meetings in the last week of each month, for the examination and approval of bills, shall keep a record of the names of the persons whose bills are approved, and of the dates and amounts of said bills; shall certify their approval upon the face of said bills, and pass them to the Auditor, to be by him laid before the Committee on Accounts.

Bills to be
stamped by
Committee
on Accounts.

SECT. 7. The Committee on Accounts shall employ a hand stamp, with a suitable device thereon, which stamp shall be impressed on all bills examined and allowed.

Duties of
Auditor.

SECT. 8. The Auditor shall receive all accounts and claims from persons having demands against the city, which shall have been certified as provided in the preceding sections. He shall carefully examine all such accounts and claims, and see that they are correctly cast, and present the same, neatly folded, filed, and labeled, to the Committee on Accounts. He shall keep a book, in such manner and form as the said Committee shall direct, wherein he shall enter the date and amount of every account and claim against the city, as finally corrected and allowed by said Committee, and also the name of the person to whom the same shall be allowed, designating the fund or appropriation from which the same shall be paid: and the certificate of the said Committee, allowing any such account or claim, shall be made in the book thus kept by the Auditor.

SECT. 9. The Auditor shall, under the direction of the Committee on Accounts, keep a book or ledger, in

which he shall enter the various appropriations made by the City Council, each under its appropriate head, and charge to each the different payments and expenditures that from time to time shall be made thereon. Whenever any appropriation shall be expended, the Auditor shall immediately give notice thereof to the Mayor, the City Council, and the Committee on Accounts; which Committee shall pass or allow no claim or account, chargeable to any head of appropriation which is expended, until the City Council shall have provided the means of paying the same.

Auditor to keep a book or ledger, etc.

Committee on Accounts to allow no claim after appropriation is expended.

SECT. 10. No money shall be drawn out of the city treasury except upon the written order of the Mayor, addressed to the Treasurer, and countersigned by the Auditor, and numbered so as to correspond with the number of the account or claim it shall be drawn to pay.

No money to be paid from city treasury, except on written order of Mayor, countersigned by Auditor.

SECT. 11. The Mayor is hereby authorized to draw orders on the Treasurer for the payment of all accounts and claims allowed and certified by the Committee on Accounts, as provided in the preceding sections; but he shall not draw his order on the Treasurer for the payment of any account or claim against the city, excepting as provided in the succeeding sections, unless the same shall have been allowed and certified by the Committee on Accounts; nor shall he draw any order, in payment for any services rendered, or any materials furnished for any department, beyond the sum specifically appropriated therefor by the City Council.

All claims to be first allowed and certified.

Appropriations not to be exceeded.

SECT. 12. Any sum of money which shall have been specially appropriated for any purpose by a vote of the City Council, or which shall have become due on the principal or interest of any note or other security of the City of Cambridge, or on any judgment against said city, may be drawn from the treasury and paid by

Amount due on notes, etc., may be drawn for by Mayor.

the order of the Mayor, without any action on the part of the Committee on Accounts.

Amount due on contracts, etc., may be drawn for on certificate of committee.

SECT. 13. Whenever it shall be necessary to pay money in advance, on contracts made, or for work begun and not completed, the Mayor, upon the receipt of a certificate from the committee having such work in charge, shall draw his order for the same.

Auditor to report to Committee on Accounts.

SECT. 14. Whenever any money shall be drawn from the treasury for the purposes specified in the preceding section, the Auditor shall report the same, and the amount thereof, to the Committee on Accounts, at their next meeting, and shall charge the same under the appropriate head of expenditure.

City officers to pay over moneys to the Treasurer.

SECT. 15. All city officers who shall, in their official capacity, receive any money on behalf of the city, shall pay to the Treasurer the amount in their hands, once in every three months, and oftener if required. All other persons who shall have money in their hands belonging to the city, shall forthwith pay the same to the Treasurer; who shall, on the first day of every month, make out a written statement of all his receipts, as Treasurer, for the preceding month, stating in detail the several amounts, the names of the persons of whom, and on what account, the same were received, which statement shall be delivered to the Auditor, to be by him presented to the City Council at their next meeting.

Treasurer to lay statement before City Council.

Duties of City Treasurer.

SECT. 16. The City Treasurer shall, under the direction of the Committee on Accounts, keep, in a book provided for the purpose, an accurate and true account of all his receipts and payments on behalf of the city, making the same conform, as nearly as may be, with the accounts kept by the Auditor. He shall not pay any money out of the treasury, except upon orders of the Mayor drawn in the form prescribed in the tenth sec-

tion. He shall, once in six months, and oftener if required, lay before the City Council a statement of the condition of the Treasury, and of all moneys received and paid by him on city account, during the preceding six months.

SECT. 17. There shall be appointed, at the commencement of each municipal year, a Committee on Finance, Joint Committee on Finance. consisting of the Mayor, two members of the Board of Aldermen, the President and five members of the Common Council, which Committee shall negotiate all loans to the city that shall be authorized by the City Council, and shall report the amount to the City Treasurer.

SECT. 18. The Committee on Finance shall, in the its duties. month of February, annually, prepare and lay before the City Council an estimate of the amount of money necessary to be raised for the ensuing financial year, under the various heads of appropriation, and the ways and means of raising the same; and shall also, in the month of December, annually, prepare and lay before the City Council a statement of all the receipts and expenditures of the preceding financial year, giving in detail the amount of appropriation and expenditure of each department; and said statement shall be accompanied by a schedule of the property, real and personal, belonging to the city, and the value thereof, and of the amount of the city debt.

SECT. 19. The Committee on Finance shall, at the Same subject. close of each municipal year, and as much oftener as they shall deem it expedient, examine and audit the accounts of the City Treasurer; and for that purpose shall have access to all books and vouchers in his possession, or in possession of the Auditor or any other officer of the city. The said Committee shall not only compare said accounts with the vouchers therefor, but shall ascertain whether all moneys due the city have

been collected and accounted for; they shall also examine all notes and securities in his hands belonging to the city, and make report thereof to the City Council.

Treasurer
and Auditor,
when to
make up
their ac-
counts.
Financial
year.

SECT. 20. The City Treasurer and City Auditor shall make up their accounts to include the last day of November, annually; and the financial year shall begin on the first day of December in each year.

Form of City
Bonds.

SECT. 21. Whenever any bonds for the payment of money shall be issued under the authority of the City Council, such bonds shall be signed by the Mayor and City Treasurer, and countersigned by the City Auditor.

CHAPTER II.

BUILDING.

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|------------------------|-----------------------------|
| 1. Notice to be given. | 3. Violations of Ordinance. |
| 2. Lines and Grade. | 4. Acceptance of Streets. |

Notice to be
given.

SECT. 1. Whoever shall intend to erect, or to make any alterations in, the exterior walls of any building or buildings, of any description, a part of which is to be placed upon any of the public streets, lanes, squares, or alleys of the city, shall, before he proceeds to build or erect the same, or to lay the foundations thereof, or to make alterations, give notice in writing to the Mayor and Aldermen of his intention, with the dimensions of the structure proposed, the materials to be used, the number of the street, or precise location, and the name of the owner or owners of the land, fifteen days, at least, before commencing to carry his intention into effect; and in default thereof, the city shall be discharged from all responsibility for damages, of any

nature whatsoever, resulting from failure to give notice as provided above, particularly all such damages or expenses as have been enhanced or occasioned by reason of anything done previously to, or without such notice.

SECT. 2. Before proceeding to erect any building, fence, or wall, to be placed as specified in Section One of this Chapter, the party shall first apply to the City Engineer for the lines and grade of the street, lane, square, or alley, upon which he intends to build; and it shall be the duty of the City Engineer to furnish the necessary information, if in his power to do so; but if not, he shall proceed, without delay, to ascertain and determine the correct line and grade, and place the same upon record in his office, and furnish to the applicant the information desired. In default of the application required by this section, the city shall be discharged from all responsibility for damages of any kind whatever, resulting from such default.

SECT. 3. Whenever it shall come to the knowledge of the City Engineer that any person has placed any structure, contrary to the intent of this Chapter, he shall at once give notice, to the Mayor and Aldermen, in writing, of such violation; and, upon receipt of such notice, the Mayor and Aldermen shall forthwith issue an order to the party offending, directing that the structure be removed within such time as may be expressed in said order; and, in case of non-compliance, it shall be the further duty of the Mayor and Aldermen to direct that the incumbrance be removed, at the expense of the delinquent, without delay.

SECT. 4. No street shall be accepted as a public way, until a certificate from the City Engineer has been placed on file with the City Clerk, to the effect that all encroachments upon the line of said street, of what-

ever character, shall have been removed by the abut-tors, or with their consent, without charge to the city ; that is to say, it shall be a condition precedent to the acceptance of any street, by the City Council, that the City Engineer declare, in the manner above mentioned, that it is free from encroachments upon its lines.

CHAPTER III.

BURIAL-GROUNDS, AND THE INTERMENT OF THE DEAD.

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| 1. Superintendents of Burial-grounds. | 7-9. Compensation of Undertakers. |
| 2. Provision for absence, etc., of Superintendents. | 10. Every death within the city to be reported to an Undertaker. |
| 3. Their compensation. | 11. Permission of City Clerk required before burial or removal of any dead body. |
| 4. Undertakers. | 12. Time and manner of burials. |
| 5. Duties of Undertakers. | |
| 6. Funeral Cars. | |

Superintend-
ents of
Burial-
grounds.

SECT. 1. The Mayor and Aldermen shall annually appoint one or more persons to act as Superintendents of the burial-grounds belonging to the city, other than the Cambridge Cemetery.

Provision for
absence, etc.,
of Superin-
tendents.

SECT. 2. In case of absence, sickness, or temporary disability of any Superintendent, his duties shall be performed by such person as the Mayor may appoint.

Their com-
pensation.

SECT. 3. The Superintendents shall receive such compensation for their services as the City Council shall determine.

Undertakers.

SECT. 4. The Mayor and Aldermen shall annually appoint one or more persons to act as Undertakers ; and no person, except an Undertaker thus appointed, or one appointed by the same authority in his place, shall bury or remove the body of any deceased person, or undertake the management of any funeral.

SECT. 5. It shall be the duty of the Undertakers, Duties of Undertakers. respectively, as soon as informed of the decease of any person within the limits of their district, to take the personal charge and oversight of all necessary arrangements for the removal and burial of the body of the deceased, and for the funeral procession ; subject to the provisions of law.

SECT. 6. One or more funeral cars shall be provided Funeral Cars. by the city, and placed under the charge of the Superintendents of Burial-grounds, to be kept in such place or places, and under such regulations, as the Mayor and Aldermen may prescribe ; which cars or hearses shall be at the disposal of the Undertakers, for all interments made in any of the burial-grounds belonging to the city, whenever any vehicle shall be necessary for the removal of the body. The horse shall be furnished by, and at the expense of the Undertaker.

SECT. 7. When the Undertaker is requested to furnish, and furnishes, other than a funeral car, or hearse, Compensation of Undertakers. provided by the city, he shall be entitled to receive as compensation therefor, in addition to his other fees, a sum not exceeding five dollars where one horse is used, and not exceeding six dollars where two horses are used with the same.

SECT. 8. As a compensation for services to be performed by the Undertaker, and such assistants as he Same subject. may employ in digging and filling the grave, attendance at the house, and going from the house to the grave or tomb, and for the use of the horse he may employ, he shall receive a sum not exceeding four dollars for the burial of each person twelve years old and upwards, and a sum not exceeding two dollars and fifty cents for every child less than twelve years old, to be paid by the person employing him.

Same sub-
ject.

SECT. 9. When the Undertaker is required to carry a body beyond the limits of the city, he shall be entitled to receive as compensation therefor, a sum not exceeding one dollar for one mile or fraction of a mile, and fifty cents for every additional mile, beyond said limits, which shall be in addition to fees otherwise provided for.

Every death
within the
city to be re-
ported to an
Undertaker.

SECT. 10. Whenever any person shall decease within the limits of the city, it shall be the duty of the nearest relative, or of the person in whose house the death may have occurred, or any other person who may have first become informed of the event, to cause the same to be made known to an Undertaker as soon as practicable.

Permission
of City Clerk
required be-
fore burial or
removal of
any dead
body.

SECT. 11. No person shall bury the body of any deceased person in any of the burial-grounds belonging to the city, or remove the body of any deceased person for burial elsewhere, without first obtaining written permission from the City Clerk.

Time and
manner of
burials.

SECT. 12. All funerals shall take place between sunrise and sunset, unless otherwise permitted or directed by the Mayor; and the top of every coffin deposited in the ground shall be at least three feet below the usual surface thereof.

CHAPTER IV.

CITY CLERK.

1-4. Additional duties of City Clerk. | 5. Allowance for clerical assistance.

Additional
duties of City
Clerk.

SECT. 1. In addition to the duties now devolving upon the City Clerk, under the laws of the Commonwealth, and under the charter and ordinances of the

city, he shall perform the duties hereinafter prescribed.

SECT. 2. He shall draft all bonds, deeds, obligations, ^{Same subject.} contracts, leases, conveyances, and other legal instruments of whatever nature, which may be required of him by any ordinance of the city, or order of the Mayor and Aldermen, or of the City Council, and which by law, usage, or agreement, the city is to be at the expense of drawing, and shall examine and give his opinion upon the validity of all such instruments, wherein the city is a party, when prepared by other persons.

SECT. 3. He shall furnish the Mayor, the City Council, and any committee of the City Council, with any ^{Same subject.} information and assistance in legal matters in which the city is interested, when so requested by them.

SECT. 4. He shall investigate all claims or demands ^{Same subject.} against the city, which may be referred to him, and shall give his opinion concerning the same (in writing when required); shall prosecute or defend all actions wherein the city is a party, unless he shall deem it for the interest of the city to retain other counsel, in which case it shall be his duty to act as associate counsel. He shall also obtain the opinion of any other counsel when so directed by the City Council.

SECT. 5. There shall be allowed and paid to the City Clerk the sum of one thousand dollars per annum, in ^{Allowance for clerical assistance.} equal quarterly payments, the same to be expended by him for clerical assistance in his office.

CHAPTER V.

CONSTABLES.

Mayor and Aldermen to appoint Constables. Bonds. Fees.

Mayor and
Aldermen to
appoint Con-
stables.

Bonds.

Fees.

The Mayor and Aldermen may appoint such number of Constables for the service of civil precepts as they shall deem proper, who shall be qualified by giving bonds according to law, and shall be entitled to all fees received by them for the service of civil processes.

CHAPTER VI.

THE DANA LIBRARY.

1. Dana Library.
2. Board of Trustees.
3. How elected. Terms of office.
4. Duties of Trustees. Librarian.

5. Moneys, how to be expended. Fees.
By-Laws.
6. Report of Trustees.
7. Moneys, how to be paid.
- 8, 9. Certain moneys received.

Dana Li-
brary.

SECT. 1. The Library received of the "Cambridge Athenæum" shall be called the Dana Library.

Board of
Trustees.

SECT. 2. The care, superintendence, and management of said Library shall be vested in a Board of Trustees, to consist of one member of the Board of Aldermen, one member of the Common Council, and three citizens at large, to be chosen as hereinafter provided, of which the Mayor shall be a member, and chairman *ex officio*.

How elected.

SECT. 3. There shall be elected, annually, in the month of January, in convention of the City Council, one member of the Board of Aldermen, and one member of the Common Council, to serve for the current mu-

unicipal year; and one citizen at large, whose term of office shall be three years from the third Monday of said January; and in case of a vacancy in said Board of Trustees, by death, resignation, or otherwise, such vacancy shall be filled forthwith, in the manner aforesaid.

SECT. 4. Said Board of Trustees may choose one of their number Secretary; and *three* members of said Board shall constitute a quorum for the transaction of business; they shall choose, annually, in the month of January, a suitable person to be Librarian, who shall be removable at the pleasure of the Board, and shall receive such compensation as the Trustees may from time to time determine.

SECT. 5. The Trustees shall expend all moneys presented to the Library, or appropriated by the City Council, for the purchase of books or the improvement of the Library; they may establish such fees for the use of said Library, and shall make and publish such needful by-laws and regulations as shall extend the benefits of the institution as widely as practicable throughout the community; and all moneys received for the use of the Library shall be paid quarterly into the city treasury.

SECT. 6. The said Trustees shall present to the City Council, annually, in the month of December, a report of all their acts, doings, and proceedings, and a statement of the condition of the Library, the number of books added during the year, with an accurate account of all receipts and expenditures, together with any other information or suggestions which they may deem desirable.

SECT. 7. No money shall be paid from the city treasury on account of the Library, except by order of the Trustees, and in pursuance of an order signed by the

Mayor ; and in no case shall the amount drawn exceed the amount appropriated for the Library.

Certain
moneys re-
ceived.

SECT. 8. Whenever any moneys are received into the city treasury, under the provisions of the two hundred and fiftieth chapter of the laws of eighteen hundred and sixty-nine, the Treasurer shall communicate to the Mayor, in writing, a statement of the amount received, and the Mayor shall thereupon draw his order, directing the Treasurer to pay said amount to the Board of Trustees of the Dana Library, to be applied by them to the general purposes of that institution.

Same sub-
ject.

SECT. 9. All payments of money made in pursuance of the previous section, shall be in addition to the amount annually appropriated by the city for the use of the above-named Library, and the amount thereof shall be added by the Auditor to the appropriation.

CHAPTER VII.

DEEDS.

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| 1. Mayor authorized to execute
Deeds, etc. | 2. Mayor authorized to discharge
Mortgages. |
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Mayor au-
thorized to
execute
deeds, etc.

SECT. 1. All deeds, conveyances, leases, and other instruments, which shall be given by the city, and which to be valid in law must be signed, sealed, and acknowledged, shall be signed and acknowledged by the Mayor, on behalf of the city, and shall be by him sealed with the common seal of the city.

Mayor au-
thorized to
discharge
mortgages.

SECT. 2. Whenever the amount due and payable on any mortgage belonging to the city shall be paid to the City Treasurer, the City Treasurer shall certify the same to the Mayor, who shall thereupon discharge the

mortgage; or, by and with the consent of the Board of Aldermen, may assign the same; and for that purpose the Mayor shall execute and deliver all necessary deeds and instruments.

CHAPTER VIII.

ELECTIONS.

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| 1. Form of warrants for ward meetings. | 4. Mayor and Aldermen to fix times for opening and closing polls. |
| 2. How warrants shall be issued, served, and returned. | 5. Warrants for general meetings. Service of same. Notice to be published by City Clerk. |
| 3. Service of warrants by posting and publication. | 6. Proceedings at general meetings. |

SECT. 1. The form of warrants for calling meetings of the citizens of the several wards shall be as follows, to wit:—

Form of warrant for ward meetings. See Charter, ante, § 5.

CITY OF CAMBRIDGE.

To either Constable of the City of Cambridge,
Greeting.

In the name of the Commonwealth of Massachusetts, you are hereby commanded forthwith to warn the inhabitants of Ward No. —, in said city, qualified as the law directs, to assemble at —, in said Ward, on —, the — day of —, at — o'clock in the — noon, then and there to —.

Hereof fail not, and have you then and there this warrant, with your doings thereon.

Witness, — —, Mayor of our City of Cambridge, the — day of —, in the year one thousand eight hundred and —.

By order of the Mayor and Aldermen,

— —, *City Clerk.*

How war-
rants shall
be issued,
served, and
returned.

SECT. 2. All warrants for calling meetings of the citizens of the several wards shall be issued by the Mayor and Aldermen, and signed by the City Clerk, and shall be served by either Constable of said city, and by him returned to the Wardens of the several wards, on or before the time of meeting therein specified.

Service of
warrants by
posting and
publication.

SECT. 3. All warrants for calling ward meetings shall be served by posting copies thereof in five public places, at least, in the ward named in the warrant, seven days next before the time of meeting; and the City Clerk shall also cause notice of all such meetings to be published in any newspapers which shall be printed in the city, between the date of the warrants and the time appointed for said meetings.

Mayor and
Aldermen to
fix times for
opening and
closing polls.

SECT. 4. The Mayor and Aldermen shall fix the times for opening and closing the polls, at meetings held for the election of all officers other than ward officers, and state the same in the warrant for calling the meetings.

Warrants for
general meet-
ings. Service
of same.

SECT. 5. All warrants for calling general meetings of the inhabitants of the City of Cambridge shall be in the form prescribed in the first section, except that such meetings shall be held at such place in the city as the Mayor and Aldermen shall direct. They shall be served by a Constable of the city, by posting copies thereof in the several wards not less than seven days before the time of meeting, and be returned to the Mayor and Aldermen; and the City Clerk shall cause a notice of such meeting to be published, as directed in the third section.

Notice to be
published by
City Clerk.

Proceedings
at general
meetings.

SECT. 6. The City Clerk shall attend all general meetings of the citizens, which may be held by virtue of warrants issued by the Mayor and Aldermen; shall open such meeting by reading the warrant therefor; and shall continue to preside thereat until a moderator

is chosen. He shall keep in a separate book a record of the proceedings of such meetings, and shall insert in the record copies of all reports or other documents upon which said proceedings may have been founded.

CHAPTER IX.

ENGINEERING.

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| 1. Committee on City Engineering. Its duties. | 3-6. His duties. |
| 2. City Engineer, how to be chosen. Term of office and compensation. | 7. To examine bridges.
8. To make annual report to the City Council. |

SECT. 1. There shall be appointed in the month of January in each year, a joint committee of the City Council, to be called the Committee on City Engineering, to consist of two members of the Board of Aldermen and three members of the Common Council. Said Committee shall have the care and supervision of the City Engineer's department, and the appointment and discharge of all persons employed therein shall be with their approval; and they shall fix the compensation to be paid to every person there employed.

SECT. 2. There shall be chosen annually in the month of April, or within thirty days thereafter, by concurrent vote of the City Council, to be first acted on by the Mayor and Aldermen, a City Engineer. He shall hold his office for the current year in which he shall be elected, or until a successor is chosen, unless sooner removed; he shall be removable at the pleasure of the City Council, and a vacancy may be filled at any time for the unexpired term. He shall receive such compensation as the City Council may from time to time determine.

His duties.

SECT. 3. The said Engineer shall be at the head of the department of City Engineering, and shall exercise a general supervisory control of all matters within said department; he shall be consulted in relation to public improvements of every kind where the advice of a civil engineer would be of service. He shall have the charge, under the direction and control of the Committee on City Engineering, of all plans of streets, drains, sewers, and structures of every kind, not especially belonging to other departments, and shall keep the same properly classified and indexed; and he may make such rules and regulations concerning the taking of plans from his office, as he may deem necessary to insure their safety.

Same subject.

SECT. 4. It shall be the duty of the said Engineer, either by himself or his assistants, to make such surveys, plans, profiles, estimates, and descriptions as may be required of him by the Mayor, the Board of Aldermen, the City Council, or any committee thereof; and he shall perform all other such services for the City of Cambridge which properly come under the direction of a civil engineer, as may be required of him by the Mayor, the Board of Aldermen, the City Council, or any committee thereof, the Water Board, or the Commissioners of the Cambridge Cemetery.

Same subject.

SECT. 5. Said Engineer shall take charge, as superintending officer, of all plans and surveys relating to the laying out, widening, extending, and grading of streets, and the establishing of correct lines for the same, and of all structures and public works of the city, as the City Council, or any committee thereof, may direct; and under their direction he shall prepare all plans and specifications for the same, and shall prepare, or cause to be prepared, all contracts that they may require: *provided*, that nothing in this section

shall be so construed as to authorize him to interfere with existing departments or boards of officers, or with any that may hereafter be established, whose duties may be clearly defined.

SECT. 6. It shall be the duty of the City Engineer Same subject. to give to all applicants, so far as the files and records of his office will permit, any information they may require as to the lines and grades of streets on which their estates may be situated, or upon which they intend to build. And all information of this character furnished to owners of estates, or persons representing them, or to those intending to build, shall be without charge to the applicant or to parties interested.

SECT. 7. Said Engineer shall make annually, or oftener if required, a careful examination of all the bridges To examine bridges. within the city limits ; and make such reports respecting their condition as to safety, need of renewal, or repairs, as the exigency of the case may require.

SECT. 8. Said Engineer shall annually, in the month of December, present to the City Council a report in To make an annual report to the City Council. relation to his department, showing the number of persons employed, the detailed expenses of the department, the general nature of the work, the condition of all structures that come under his supervision, that are in process of construction, or that have been completed during the previous year, and such other general information in relation to the same as he may deem expedient.

CHAPTER X.

THE FIRE DEPARTMENT.

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| <ol style="list-style-type: none"> 1. Fire Department, officers and members. 2. Chief and other Engineers to be chosen annually. May be removed by City Council. 3. Certificates to be received by Engineers. 4. Organization of Board of Engineers. Secretary. Powers of the Board. Rules and regulations. Absences to be reported. 5. Duty of Engineers at fires. 6. Powers of the Chief Engineer. 7. In his absence, the next in rank shall execute his duties. 8. Members to be twenty-one years of age, and legal voters. 9. Officers and members of each steam fire-engine company. 10. Duty of Foreman. 11. Of Assistant Foreman. 12. Of Engineer. 13. Of Drivers. 14. Officers and members of each hook-and-ladder company. 15. Appointment of members and their term of service. 16. Meetings for choice of officers. 17. Officers elected by a majority of votes. 18. Election to be approved by a majority of the Board of Engineers. Mayor and Aldermen may appoint in case, etc. 19. Officers' warrants, and term of service. 20. Another election in certain cases. 21. Duty of Foremen as to rolls, etc. 22. Duty of officers and members of companies in case of fire. | <ol style="list-style-type: none"> 23. Officers or members, how removed. 24. Removals to be recorded, and copy sent to Board of Aldermen. 25. Officers and members removed, how reinstated. 26. At fires, Foreman to report himself to Engineer in command, etc. 27. Assistant Foreman to act in absence of Foreman. 28. Clerk. 29. Members' duties. Certificates. 30. Members not to assemble in engine-house on the Sabbath, nor after ten o'clock, P. M., unless on duty. 31. Members' fines. Cause for discharge. 32. Badges. 33. Badges of members of City Council. 34. Use of intoxicating liquors and gambling prohibited under a penalty, etc. 35. No company shall leave the city, except, etc. 36. Regulations concerning refreshments and intoxicating liquors. 37. Exemption from jury duty. 38. Burning chimney, etc. 39. Keeping ashes in wooden vessels, or burning straw, etc., by night in any street, etc. 40. Engineers to examine places where combustible materials are kept. 41. Compensation of members. 42. Fire Alarm Telegraph. 43. Rules and directions. 44. Boxes and poles. 45. Penalty. |
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Fire Department, officers and members.

SECT. 1. The Fire Department shall consist of a Chief Engineer, four Assistant Engineers, and of as many Engine-men, Hose-men, and Hook-and-ladder-

men, to be divided into companies, as the number of engines and other fire apparatus belonging to the city shall from time to time require.

SECT. 2. There shall be appointed, annually, by the Mayor and Aldermen, with the concurrence of the Common Council, during the month of January, a Chief Engineer, and four Assistant Engineers, who shall hold their offices for the term of one year, and until others are appointed in their places: *provided, however,* that the Mayor and Aldermen may, with the concurrence of the Common Council, at any time remove from office the Chief Engineer or any Assistant Engineer.

Chief and other Engineers to be chosen annually.

May be removed by City Council.

SECT. 3. The Chief and Assistant Engineers, on their appointment, shall receive a warrant, in the words following, to wit: "This certifies that —— is appointed Chief Engineer [or Assistant Engineer] of the Fire Department of the City of Cambridge, and is entitled to all the immunities, and invested with all the powers, belonging to said office. Given under my hand, this — day of ——, A. D. 18—. ——, Mayor. ——, City Clerk." And the respective rank of the Engineers shall be determined by the Mayor and Aldermen at the time of their appointment.

Certificates to be received by Engineers.

SECT. 4. The Engineers so chosen shall meet and organize themselves into a Board of Engineers, a majority of whom shall form a quorum, and of which, in the absence of the Chief Engineer, the senior Engineer present shall be presiding officer; and they may appoint such Secretary or other officers, and make such rules and regulations for their own government, as they may see fit. They shall be responsible for the discipline, good order, and proper conduct of the whole department, both officers and men, and for the care of all houses, engines, horses, hose-carriages, and other

Organization of Board of Engineers.

Secretary.

Powers of the Board.

furniture and apparatus thereto belonging. They shall have the superintendence and control of all the reservoirs and hydrants belonging to the city. They shall certify all bills, and submit the same, monthly, indorsed by the Secretary of the Board, to the Committee on the Fire Department. They shall have the superintendence and control of all the engine and other houses used for the purposes of the Fire Department, and of all furniture and apparatus thereto belonging, and of the engines and all other fire apparatus belonging to the city, and over the officers and members of the several companies attached to the Fire Department, and over all persons present at fires; and they may make such rules and regulations for the better government, discipline, and good order of the department, and for the extinguishing of fires, as they may from time to time think expedient, the same not being repugnant to the laws of this Commonwealth, or to any ordinance of the city, and subject to the approbation of the Mayor and Aldermen. The Assistant Engineers shall report their absences from fires with the reasons therefor, to the Chief Engineer, who shall keep a record of the same, and make report thereof, stating all the facts, to the City Council, every year, prior to the election of Engineers. In the absence of the Chief Engineer, the Secretary shall make said record and report.

Rules and regulations.

Absences to be reported.

Duty of Engineers at fires.

SECT. 5. It shall be the duty of said Engineers, whenever a fire shall break out in the city, immediately to repair to the place of such fire, wearing the badge of their office; to take proper measures that the several engines and other apparatus be arranged in the most advantageous situations, and duly worked for the effectual extinguishing of the fire; to require and compel assistance from all persons, as well members

of the Fire Department as others, in extinguishing the fire, removing furniture, goods, or other merchandise from any building on fire, or in danger thereof, and to appoint guards to secure the same, and also in pulling down and demolishing any house or building, if occasion require; and further, to suppress all tumults and disorders. It shall also be their duty to cause order to be preserved in going to, working at, or returning from fires, and at all other times when companies attached to the department are on duty.

SECT. 6. The Chief Engineer shall have the sole Powers of the Chief Engineer. command at fires over all the other Engineers, all members of the Fire Department, and all other persons who may be present at fires, and shall direct all proper measures for the extinguishing of fires, protection of property, preservation of order, and observance of the laws, ordinances, and regulations respecting fires; and it shall be the duty of said Engineer to examine into the condition of the engines and all other fire apparatus, and of the engine and other houses belonging to the city and used for the purposes of the Fire Department, and of the companies attached to the said department, as often as circumstances may render it expedient, or whenever directed so to do by the Mayor and Aldermen, or by the Committee of the Board of Aldermen on the Fire Department, and annually, in the month of December, to report the same to the Mayor and Aldermen, and oftener if thereunto requested; also, to cause a full description of the same, together with the names of the officers and members of the Fire Department, to be published annually, in such manner as the Mayor and Aldermen shall direct; and whenever the engines or other fire apparatus used by the Fire Department require repairs, the Chief Engineer shall cause the same to be made. And it shall be, moreover, the duty of the Chief Engineer to

receive and transmit to the Board of Aldermen all returns of officers, members, and fire apparatus made by the respective companies as hereinafter prescribed, and all other communications relating to the affairs of the Fire Department; to keep fair and exact rolls of the respective companies, specifying the time of admission and discharge, and the age of each member; to report once in each year, or oftener, if directed so to do by the Mayor and Aldermen, all accidents by fire which may happen within the city, with the causes thereof, as well as can be ascertained, the number and description of the buildings destroyed or injured, and the amount of loss and insurance on the same, together with the names of the owners or occupants.

In his absence, the next in rank shall execute his duties.

SECT. 7. In case of the absence of the Chief Engineer, the Engineer next in rank, who may be present, shall execute the duties of his office, with full powers.

Members to be twenty-one years of age, and legal voters.

SECT. 8. No person under twenty-one years of age, and no person who is not a legal voter in the City of Cambridge, shall be appointed an officer or member of the Fire Department.

Officers and members of each steam fire-engine company.

SECT. 9. Each steam fire-engine company appointed by the Mayor and Aldermen shall consist of fourteen men, and shall have a Foreman, Assistant Foreman, Engineer, Fireman, Driver of the engine, Driver of the hose-carriage, and eight Hose-men. The Foreman and Assistant Foreman shall be chosen by ballot, subject to the approval of the Board of Engineers and of the Mayor and Aldermen; and any person rejected shall not be returned the second time for approval. The Engineer and the two Drivers shall be constantly employed, and shall at all times be in or about the engine-house, except when unavoidably absent, or excused from duty by the Chief Engineer. There shall also be appointed one Engineer, at large, who shall

be employed in place of any Engineer or Driver who may be absent, or excused from duty.

SECT. 10. The Foreman of each steam fire-engine company shall at fires direct the locating of the engine, and have charge and direction of the Hose-men. Duty of Foreman.

SECT. 11. The Assistant Foreman of each steam-engine company shall assist the Foreman in the discharge of his duties, and also act as Clerk of said company. Of Assistant Foreman.

SECT. 12. The Engineer of each steam-engine company shall, under the direction of the Board of Engineers, have the sole care of the engine-house and all the property therein belonging to the city. He shall be held personally responsible for the care and condition of the engine, shall work the same, and have it at all times ready for immediate use. He shall be accountable for the proper performance of all duties required of the Drivers, and make report to the Chief Engineer of any neglect on their part. Of Engineer.

SECT. 13. The Driver of each steam-engine and the Driver of the hose-carriage shall drive and have the charge of the horses of the engine and hose-carriage, respectively, and have the same at all times ready for immediate use, and the stable kept neat and clean. They shall also assist the Engineer in keeping the house and apparatus clean, and they and the Engineer shall perform such other duty as may be required of them by the Chief Engineer. Of Drivers.

SECT. 14. Each hook-and-ladder company appointed by the Mayor and Aldermen, shall consist of seventeen men, and shall have a Foreman, Assistant Foreman, Driver, and fourteen men. The Foreman and Assistant Foreman shall be chosen by ballot, subject to the approval of the Board of Engineers and the Mayor and Aldermen, and any person rejected shall not be returned a second time for approval. The Assistant Fore- Officers and members of each hook-and-ladder company.

man shall assist the Foreman in the discharge of his duties, and also act as Clerk of the company. The Driver shall be constantly employed, and at all times be in or about the hook-and-ladder house, except when unavoidably absent. He shall, under the direction of the Board of Engineers, have the sole care of the house, and all the property therein belonging to the city, and shall be held personally responsible for the care and condition of the same, shall drive and have charge of the horses, shall keep the stable neat and clean, and perform such other duty as may be required of him by the Chief Engineer.

Appointment
of members,
and their
term of ser-
vice.

SECT. 15. The Mayor and Aldermen shall, in the month of January in each year, appoint the several engine, hose, and hook-and-ladder companies, whose term of service shall continue one year. And every officer or member who shall not serve six months, except in case of sickness, death, or removal from the city, or who shall be removed for cause, shall forfeit any and all compensation that would otherwise have been due to him at the time when his service ceased or his removal took place.

Meetings for
choice of
officers.

SECT. 16. Meetings of the several companies, for the choice of officers, shall be held within two weeks after their appointment; notice thereof to be given in such manner as the Mayor and Aldermen shall prescribe: *provided, however*, that if any office shall become vacant, by death, resignation, or otherwise, the same may be filled at any regular meeting of the company.

Officers elect-
ed by a ma-
jority of
votes.

SECT. 17. The votes of a majority of all the members of the company shall be required for the election of any officer.

Election to
be approved
by a majority
of the Board
of Engineers.

SECT. 18. The officer presiding at any such meeting shall forthwith notify the persons chosen of their election, and he shall also make a true return of such elec-

tion to the Chief Engineer, who shall submit the same to the Board of Engineers, and, if approved by a majority of said Board, he shall forthwith transmit the same to the Mayor and Aldermen; but if not approved by such majority, the Chief Engineer shall notify the company of the fact, and another election shall be had. And if any company shall unreasonably neglect or refuse to elect officers, whom the Board of Engineers and the Mayor and Aldermen shall approve, for the space of two weeks, the same may be appointed by the Mayor and Aldermen.

Mayor and Aldermen may appoint in case, etc.

SECT. 19. The officers of the several companies, chosen in the manner before provided, on being appointed by the Mayor and Aldermen, shall receive a warrant, in form substantially like that prescribed for the Engineers, and shall be held to perform all the duties of the office to which they shall be respectively chosen and appointed, for one year, or until discharged by death, resignation, or by order of the Mayor and Aldermen.

Officers' warrants and term of service.

SECT. 20. If any person chosen by either of said companies to any office therein shall not be appointed by the Mayor and Aldermen, the City Clerk shall give immediate notice thereof to the Clerk or commanding officer of such company, and thereupon another election shall be had, in the manner before provided.

Another election in certain cases.

SECT. 21. The Foremen shall keep, or cause to be kept by the Clerks of their respective companies, fair and exact rolls, specifying the time of admission, discharge, and age of each member, and accounts of all city property intrusted to the care of the several members, and of all absences and tardiness among the same, in a book provided for that purpose by the city, which rolls or record-books are always to be subject to the order of the Board of Engineers and the Mayor and Aldermen. They shall also make, or cause to be made,

Duty of Foremen as to rolls, etc.

to the Chief Engineer, true and accurate returns of all the members, with their ages, and the apparatus intrusted to their care, whenever called upon so to do.

Duty of officers and members of companies in case of fire.

SECT. 22. It shall be the duty of the officers and members of the several companies, whenever a fire shall break out in the city, to repair forthwith to their respective engines, hose, and hook-and-ladder carriages, and, in conformity with the directions of the Chief or other Engineer, exert themselves, in the most orderly manner possible, in extinguishing the fire, and in performing any duty that they may be called upon to do by any Engineer; and, upon permission of the Chief or other Engineer, shall in an orderly and quiet manner, without any outcries, return said engines, hose, and hook-and-ladder carriages to their respective places of deposit: *provided*, that, in the absence of all the Engineers, such direction and permission may be given by their respective Foremen.

Officers or members, how removed.

SECT. 23. Any officer or member may be removed from the Fire Department by a vote of a majority of the Board of Engineers; and said vote shall be final, unless, in case of officers, the same shall be reversed by the Mayor and Aldermen within fourteen days after it shall have been passed.

Removals to be recorded, and copy sent to Board of Aldermen.

SECT. 24. In all cases of removal from office or from the department, by the Engineers, the name of the person removed, with a statement of the reasons therefor, shall be entered on their records, and a copy of the same shall be transmitted to the Board of Aldermen, before their next regular meeting.

Officers and members removed, how reinstated.

SECT. 25. No officer, who may have been removed from the Fire Department, shall be reinstated therein, unless by a vote of the majority of the Board of Engineers; and in such case, said vote shall not take

effect until confirmed by the Board of Aldermen ; and no member shall be reinstated, except on nomination by the Mayor, and by a vote of three fourths of the Board of Aldermen.

SECT. 26. The Foreman of each company, immediately on his arrival at any fire, shall report himself to the Engineer in command, and shall remain by his company, and the apparatus of which he has charge, during the fire, preserve order, direct their operations, and protect them from being interrupted in the discharge of their duty.

At fire,
Foreman to
report him-
self to Engi-
neer in com-
mand, etc.

SECT. 27. In the absence of the Foreman of any company, the officer next in rank, who is present, shall take the command, and be clothed with all the powers and responsibilities of Foreman.

Assistant
Foreman to
act in ab-
sence of Fore-
man.

SECT. 28. The Clerk of each company shall, when requested by the Foreman, notify the members thereof of all meetings of the company, for the choice of officers and for drill. He shall keep fair and true rolls of the members of the company, in such form as the Foreman shall direct, and also records of its proceedings, choice of officers, and of the fire apparatus committed to its care, and perform such other service in his said office as the Foreman may direct.

Clerk.

SECT. 29. Every person, on being appointed a member of any company in the Fire Department, shall be held to perform all the duties required of him by law and the ordinances of the city, as such member, until discharged by death, resignation, or by order of the Mayor and Aldermen, or Board of Engineers. He shall receive a certificate of his appointment, signed by the Mayor, which shall entitle him to all the immunities belonging to the office.

Members'
duties.

Certificates

SECT. 30. The members of the respective companies shall not assemble in the house in which the engine or

Members not
to assemble
in engine-

house on the Sabbath, nor after ten o'clock, P. M., unless on duty.

other apparatus intrusted to said company is deposited, on the Sabbath-day, or the evening thereof, or on the evening of any other day of the week, after ten o'clock at night, except it be in the performance of some duty required of them as members of the Fire Department.

Members' fines.

SECT. 31. No company shall be allowed to impose fines upon its members ; but it shall be the duty of the Clerk of each company to enter in the roll-book provided by the city, all absences of each officer or member of said company from all fires and alarms of fire, and from the annual, monthly, and such special meetings as may be authorized by the Chief Engineer, and to make a monthly return of the same to the Board of Engineers. And for every such absence, except in case of sickness, there shall be deducted from the pay of such officer or member, the sum of one dollar, and the amount so deducted shall be paid at the end of each quarter to the Treasurer of the company to which the officer or member so fined shall belong, to meet the incidental expenses of the company. And if any officer or member shall have been absent from more than one third of the fires, or alarms of fire, occurring during the quarter, if the same are more than five in number, except in case of sickness, such absence shall be considered good cause for his discharge from the Department.

Cause for discharge.

Badges.

SECT. 32. Every member of the Fire Department shall wear, at all fires, such badge as the Engineers shall prescribe ; and no person without such badge shall, except by permission of an Engineer, enter within the lines formed at any fire.

Badges of members of City Council.

SECT. 33. Any member of the City Council may enter the lines at any fire, by wearing such badge as the Mayor and Aldermen shall prescribe.

Use of intoxicating liquors and

SECT. 34. No intoxicating liquors of any kind shall be carried into any of the houses used by the Fire

Department; nor shall any gambling be permitted therein. gambling prohibited.

SECT. 35. No company shall leave the city in case of fire in the neighboring towns, except by the consent of the Chief Engineer, or one of the Assistant Engineers; and no company shall leave the city on an excursion, unless by the express sanction and permission of the Mayor and Aldermen. No company shall leave the city, except, etc.

SECT. 36. The Board of Engineers shall, from time to time, make such rules and regulations as in their judgment shall, as far as possible, prevent refreshments being furnished to any persons except members of the Fire Department; and no bill or charge for intoxicating liquors furnished at fires shall be approved by the Committee on the Fire Department, or paid by the City. Regulations concerning refreshments and intoxicating liquors.

SECT. 37. All members of the Fire Department, and all members of any volunteer fire-engine company, shall be exempted from serving on a jury, unless they shall prefer to serve. Exemption from jury duty.

SECT. 38. No person shall burn out or set fire to his chimney, stove-pipe, or flue, at any time except between sunrise and two o'clock in the afternoon, or unless the roof of his own and the neighboring houses and buildings are at the time well wet, or covered with snow. Burning chimney, etc.

SECT. 39. No person shall keep any ashes in any vessel made of wood, or shall set on fire by night any straw, shavings, or other combustible materials, in any street, lane, or alley, or other public place in the city. Keeping ashes in wooden vessels, or burning straw, etc., by night in any street, etc.

SECT. 40. The Board of Engineers shall severally examine into all places where shavings and other combustible materials may be deposited or collected, and shall cause the same to be removed by the owners or occupants of any such places, and at their expense, whenever in the opinion of said Board, or a committee Engineers to examine places where combustible materials are kept.

thereof, the security of the city against fire shall require it.

Compensation of members.

SECT. 41. The members of the Fire Department shall be paid monthly, at the following rates :—

STEAMER COMPANIES.

Foreman	\$120	per year.
Assistant Foreman	110	" "
Hose-men and Firemen	100	" "
Engineers	90	" month.
Drivers	75	" "

HOOK-AND-LADDER COMPANY.

Foreman	\$120	per year.
Assistant Foreman	110	" "
Driver	70	" month.
Members	75	" year.

Fire Alarm Telegraph.

SECT. 42. The Joint Standing Committee on the Fire Department shall have the care and management of the rooms, apparatus, and machinery connected with the Fire Alarm Telegraph ; and shall have power to appoint a suitable person to assist in the management of the Fire Alarm Telegraph, and to discharge him ; the compensation of such person to be the same as that of a Driver of a Steamer Company. The said Committee shall have power to determine the persons to whom shall be intrusted the keys of the signal boxes connected with the said Fire Alarm Telegraph ; and generally shall have the charge and management of the same, subject to the order of the City Council.

Rules and directions.

SECT. 43. The Committee on the Fire Department shall prepare rules and directions, in accordance with which alarms of fire shall be given by means of the Telegraph ; the Committee shall have power to change said rules and directions, from time to time ; and the same shall be binding upon all persons, after said rules

and directions, as prepared or altered, shall be placed on file in the office of the Engineers of the Fire Department, and with the City Clerk. Whenever rules and directions are prepared or altered, as provided in this section, it shall be the duty of the City Clerk to cause the same to be published in such newspapers of the City of Cambridge, as are usually employed to publish the ordinances of the City. The City Council shall, at all times, have power to alter, amend, or annul said rules and directions.

SECT. 44. No person shall open any of the signal ^{Boxes and poles.} boxes connected with the Fire Alarm Telegraph, except in case of fire ; or interfere in any way with said boxes by breaking, cutting, injuring, or defacing the same ; or tamper or meddle with said boxes, or any part thereof ; nor shall any person interfere with the poles, by which the wires of the Fire Alarm Telegraph are supported, by breaking, cutting, injuring, or defacing the same, by the posting of placards or bills upon them, or in any other manner.

SECT. 45. Whoever violates any provision of the preceding section, shall forfeit and pay a fine of not less ^{Penalty.} than five dollars, nor more than twenty dollars for each offence.

CHAPTER XI.

GUNPOWDER.

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| 1. Gunpowder, how to be kept. | 3. Gunpowder above one pound to be kept in canisters, etc. |
| 2. Gunpowder exceeding fifty pounds not to be kept within ten rods, etc. | 4, 5. Gunpowder, how to be transported. |
| | 6. Inspection of vehicles. |

SECT. 1. No gunpowder shall be kept within the ^{Gunpowder, how to be kept.} limits of the city, except in the magazine belonging to

the Commonwealth, unless the same shall be well secured in tight casks or canisters.

Gunpowder
exceeding
fifty pounds
not to be
kept within
ten rods, etc.

SECT. 2. No gunpowder above the quantity of fifty pounds shall be kept or deposited in any shop, store, or other building, or in any ship or vessel, which shall be within ten rods of any other building within the city.

Gunpowder
above one
pound to be
kept in can-
isters, etc.

SECT. 3. No gunpowder above the quantity of one pound shall be kept or deposited in any shop, store, or other building, within ten rods of any other building in the city, unless the same be well secured in copper, tin, or brass canisters, holding not more than five pounds each, and closely covered with copper, tin, or brass covers, according to the forty-eighth section of the eighty-eighth chapter of the General Statutes.

Gunpowder,
how to be
transported.

SECT. 4. No gunpowder, exceeding in quantity fifteen hundred pounds, shall be transported over or through any of the paved streets or squares of the city, nor over or through any of the streets or squares in which the tracks of any horse railroad are laid.

Same sub-
ject.

SECT. 5. No gunpowder, exceeding the quantity of one hundred pounds, shall be conveyed through the city, unless the same shall be inclosed in tight casks, boxes, or canisters, that shall prevent the escape of any particle of their contents, and conveyed in a carriage or vehicle closely and entirely covered with leather or painted canvas, the bottom and sides of which vehicle shall be lined with leather, or felt, or some other soft substance, so as to prevent friction; nor shall any two or more vehicles, containing gunpowder in any quantity, be allowed to be within sixty rods of each other; nor shall any vehicle containing gunpowder be allowed to remain in the city over night, except at the magazine on Captain's Island, near Charles River; nor to stand more than ten minutes within two hundred yards of any dwelling-house within the city; nor shall

any team conveying gunpowder be driven, or permitted to travel at a speed greater than a walk.

SECT. 6. Every vehicle, for the conveying of gunpowder in or through the city, shall be subject, at all times, to the inspection of any member of the Board of Aldermen, Police Officer, or Engineer of the Fire Department.

Inspection of vehicles.

CHAPTER XII.

CITY SCALES AND WEIGHERS.

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| <p>1. General Statutes, ch. 49, §§ 72-75, adopted.</p> <p>2. Scales to be established by Mayor and Aldermen.</p> <p>3. Oath of Weigher, and his term of office. How removed.</p> | <p>4. Duties of Weigher. Form of his certificate. His accounts.</p> <p>5. Fees for weighing. Proviso.</p> <p>6. Compensation of Weighers.</p> |
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SECT. 1. The seventy-second, seventy-third, seventy-fourth, and seventy-fifth sections of the forty-ninth chapter of the General Statutes, are hereby adopted.

Gen. Sts. c. 49, §§ 72-75, adopted.

SECT. 2. The Mayor and Aldermen shall, from time to time, establish as many scales for the weighing of hay and other articles as the public good may require, and cause the same to be erected, and furnished with decimal weights, which shall be used in all cases; and shall appoint suitable persons to have the superintendence of the same, and to weigh hay and other articles according to law.

Scales to be established by the Mayor and Aldermen.

SECT. 3. The persons so appointed, shall be sworn to the faithful performance of their duties, and shall hold their office one year, and until others shall be appointed in their place: *Provided, however,* that the Mayor and Aldermen may remove a Weigher at any time.

Oath of Weigher, and his term of office.

How removed.

SECT. 4. Every such Weigher shall be at or near the scales of which he has the charge, at all reasonable

Duties of Weigher.

times, ready to weigh all hay and other articles which shall be offered for that purpose. He shall deliver to the driver or owner of every load of hay, or other article weighed, a certificate under his hand, specifying the name of the driver or owner, his place of residence, the name of the article weighed, the weight thereof and the tare, the date, and the fees charged. He shall keep a true account of all hay and other articles weighed by him, and record the same in a book to be kept for the purpose, which shall at all times be open for public inspection, and, when filled, be delivered to the City Clerk. The said record shall contain the same particulars that are required to be stated in the certificate described in this section.

Form of his
certificate.

His ac-
counts.

Fees for
weighing.

Provided.

Compensa-
tion of
Weighers.

SECT. 5. The fees for weighing hay and other articles, to be received by the said weighers, and by them paid over to the City Treasurer, as provided by the city ordinances, shall be as follows, to wit: One cent and a half for every hundred pounds of hay or straw; one half of a cent for every hundred pounds of anthracite or other coal; and one cent for every hundred pounds of any other article: *Provided, however,* that the fees for weighing any article other than hay and straw, shall never be less than ten cents. The cart or vehicle containing the same, and other tare shall be weighed without any charge, and no fees shall be taken for any weighing done on account of the city.

SECT. 6. The said Weighers shall receive such compensation as the City Council may from time to time determine.

CHAPTER XIII.

HEALTH.

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| <ol style="list-style-type: none"> 1. Mayor and Aldermen shall constitute the Board of Health. 2. Every dwelling-house shall have suitable drain. Waste water. 3. Every dwelling-house shall have suitable privy and vault. 4. Penalty for not having such privy and vault. 5. Vaults of privies, how to be constructed. Connection with common sewers. 6. Penalty. 7. Offensive vaults shall be cleansed. | <ol style="list-style-type: none"> Regulations. Applications for cleansing vaults. Sum to be paid therefor. 8. Violation of section 7th. 9. Refusal to cleanse vault. 10. Carts or wagons containing night-soil, etc. 11. Unwholesome provisions, etc. 12. No filth, etc., shall be thrown out into streets, etc. 13. License for keeping swine. 14. Removal of house offal. |
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SECT. 1. The Mayor and Aldermen, for the time being, are hereby appointed and constituted the Board of Health, and shall have power to carry into execution all laws of the Commonwealth and ordinances of the City Council made for the preservation of the health of the inhabitants of the city.

SECT. 2. Every tenement in the city, used as a dwelling-house, shall be furnished, when it can be done without unreasonable expense, with a sufficient drain to carry off the waste water into a common sewer or reservoir, which drain or reservoir shall be under ground; and no person shall suffer any waste or stagnant water to remain in any cellar, or on any lot of land or vacant ground, owned or occupied by him, so as to become a nuisance, or offensive, or dangerous to the public health.

SECT. 3. Every tenement in the city, used as a dwelling-house, shall be furnished with a privy, the vault of which shall be under ground, and of sufficient capacity, regard being had to the number of persons occupying said tenement. Every such vault shall be so constructed that the contents thereof shall in no case escape there-

from, or ooze out upon the adjoining grounds, nor shall the contents of any such vault be suffered to remain within less than eighteen inches of the even surface of the ground.

Penalty for not having such privy and vault.

SECT. 4. The owner or occupant of any tenement which shall be used as a dwelling-house, without being furnished with a privy and vault, as provided in the preceding section, shall forfeit and pay a sum not exceeding twenty dollars for each and every week during which such tenement, or any part thereof, shall be so used.

Vaults of privies, how to be constructed.

SECT. 5. No privy shall be used without a vault, and the vaults of all privies shall be so constructed, that the inside thereof shall be not less than two feet distant from the line of every adjoining lot of land, unless with the consent of the owner of such adjoining lot, or by the permission of the Mayor and Aldermen; and also from every street, lane, alley, court, public place, and private way in the city. There shall be no communication between any such vault and any common sewer or drain, by which the solid contents of any such vault can pass into such sewer or drain; but the fluid contents may be conveyed through a cess-pool into a common sewer or drain, in such manner and under such restrictions as the City Engineer shall prescribe.

Connection with common sewers

Penalty.

SECT. 6. Any person who shall construct, maintain, or keep for use, a vault or privy constructed contrary to the provisions of the preceding section, shall forfeit and pay a sum not exceeding twenty dollars for each and every week during which such vault or privy, so constructed, shall be used.

Offensive vaults shall be cleansed.

SECT. 7. The owner or occupant of any land in which any vault may be situated, shall cause the said vault to be cleansed whenever the same shall become offen-

sive ; but no vault shall be opened, for the purpose of Regulations.
 being cleansed, between the twentieth day of June
 and the first day of October in each year, except by
 the special permission of the Chief of Police ; nor in
 any instance between the hours of four o'clock in the
 morning and ten o'clock at night ; nor in any other
 mode, or at any other time, than said Chief of Police
 shall direct and appoint, conformable to the ordinances
 of the city, and to such regulations as the Mayor and
 Aldermen shall, from time to time, make on this sub-
 ject ; and always at the expense of the owner, agent,
 occupant, or other person having charge of the tene-
 ment in which such vault is situated. All applications Applications
 for opening and cleansing vaults shall receive atten- for cleansing
 tion in the order in which they are made. The Mayor Sum to be
 and Aldermen shall, from time to time, determine the paid there-
 sum to be paid by persons who shall make such appli- for.
 cations.

SECT. 8. No person shall empty a vault or privy con- Violation of
 trary to the provisions of the preceding section. Sect. 7.

SECT. 9. No owner or occupant of any land in which Refusal to
 any vault may be situated, shall neglect or refuse to cleanse
 cleanse the same, after being notified by the Mayor vault.
 and Aldermen, or the Chief of Police, that the same
 has become offensive.

SECT. 10. No person shall drive, or cause to be driven, Carts or
 any cart or wagon containing night-soil, or any wagon wagons con-
 or cart used for that purpose, through any street, lane, taining
 or alley in the city, between the hours of four o'clock, night-soil,
 A. M., and nine o'clock, P. M. ; nor permit any such etc.
 wagon or cart to stand, between said hours, in any
 street, lane, or alley in said city.

SECT. 11. No person shall bring into the city for sale, Unwhole-
 or offer for sale, any deceased, putrid, stale, or un- some pro-
 wholesome meat or other provisions ; nor any fish, ex- visions, etc.

cept smelts and other small fish, unless the same shall have been cleansed of their entrails and refuse parts.

No filth, etc., shall be thrown out into streets, etc.

SECT. 12. No person shall put or leave any dead animal substance, fish-offal, contents of any vault, decayed vegetable or other matter, in any public street or place, or near any inhabited dwelling, whereby any offensive or noxious stench or effluvia shall be created, and the health or comfort of the citizens be injuriously affected, or throw any dead animal, or animal matter, or the contents of any vault, into the rivers adjoining the city.

License for keeping swine.

SECT. 13. No swine shall be kept within the limits of the city without a license first obtained therefor from the Mayor and Aldermen, and then only in such place and manner as they shall direct.

Removal of house offal.

SECT. 14. No person shall remove or carry, in, along, or through, any of the streets, squares, courts, lanes, avenues, places, or alleys of the city, any house offal, or any refuse substances, either animal or vegetable, from any of the dwelling-houses or other places in the city, unless such person so removing or carrying the same, and the mode in which the same shall be removed or carried, shall have been expressly licensed by the Mayor and Aldermen, upon such terms and conditions as they shall deem the health and interest of the city require.

CHAPTER XIV.

JUNK, OLD METALS, AND SECOND-HAND ARTICLES.

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| 1. Licenses to dealers in junk, etc. | name, etc., to be placed on wagon, etc. |
| 2. Collection of junk, etc. Owner's | |

Licenses to dealers in junk, etc.

SECT. 1. Licenses may be granted, according to law, to any persons to be keepers of shops for the purchase,

sale, or barter of junk, old metals, or any second-hand articles, and to be dealers therein, which licenses shall contain the following conditions and restrictions:—

1st. That every keeper of such shop shall keep a book in which shall be written, at the time of every purchase, a description of the article or articles purchased, the name and residence of the person from whom, and the day and hour when such purchase was made; and that such book shall at all times be open to the inspection of the Mayor and Aldermen, or of any person by them authorized.

2d. That every keeper of such shop shall put in some suitable place a sign designating that he is licensed as such, and containing his name.

3d. That the said shops shall not be kept open except at such hours as shall be specially allowed by the terms of the license; and that no purchase of any of the articles aforesaid shall be made by the keepers thereof, or by any person for them, except during such hours as shall be designated in the license. And that said shops shall at all times be open to the inspection of the Mayor and Aldermen, or of any person by them authorized.

4th. That no keeper of such shop shall, directly or indirectly, either purchase, or receive by way of barter or exchange, any of the articles aforesaid of any minor or apprentice, knowing, or having reason to believe him to be such.

SECT. 2. No person shall, without a license, collect or deal in junk, old metals, rags, or second-hand articles; and every wagon, cart, sleigh, sled, or other vehicle used in the collection of junk, old metals, rags, or second-hand articles, shall be licensed by the Mayor and Aldermen, and shall have the owner's name and the number of the license placed upon the outside, and

Collection of
junk, etc.
Owner's
name, etc.,
to be placed
on wagon,
etc.

upon each side thereof,—in plain legible words and figures of not less than one and one-half inches in size, and so that the same may be distinctly seen. The person in whose name a license is taken out for any such vehicle, shall be considered the owner of the same until such license is surrendered, and shall be liable to the penalty prescribed for a breach of the ordinances of the city, in case of the violation of the provisions of this section.

CHAPTER XV.

LAMPS.

1. Superintendent of Lamps, how to be chosen. His compensation. | 2, 3. His duties.

Superintendent of Lamps, how to be chosen.

SECT. 1. There shall be chosen annually, at the commencement of each municipal year, and whenever a vacancy exists, by concurrent vote of the City Council, to be first acted upon by the Mayor and Aldermen, one able and discreet person, to be styled the Superintendent of Lamps, who shall hold his office at the pleasure of the City Council, and shall receive such compensation as the City Council shall from time to time determine.

His compensation.

His duties.

SECT. 2. The Superintendent of Lamps shall, under the direction of the Joint Standing Committee on Lamps, have the care and oversight of all the street and bridge lamps and fixtures, and shall cause the same to be kept clean and in good order for use, and shall see that the streets are kept lighted at such times as the convenience of the public requires.

Same subject.

SECT. 3. The said Superintendent shall employ suitable persons to light and extinguish the street and bridge lamps, and shall be responsible for the faithful

performance of their duties; shall contract for all materials, superintend the putting up of all posts, lamps, and fixtures located by the City Council; and shall keep an accurate account of the number of lamps which burn gas, fluid, or any other material, and the cost of the same, the number of men employed, and the wages given, the kind and quality of fixtures, and their cost, and all other expenses incurred in this department, and shall make a quarterly return of the same to the Mayor and Aldermen.

CHAPTER XVI.

MESSENGER.

1. Messenger to City Council, how chosen. | 2. His duties. His Compensation.

SECT. 1. There shall be chosen annually, in the month of January, by concurrent vote of both branches of the City Council, a Messenger to the City Council, who shall hold his office for one year, and until another is chosen in his place, subject to removal, at any time, by the City Council. Messenger to City Council, how chosen.

SECT. 2. The City Messenger shall attend to the opening and closing of the various rooms in the City Hall, and shall have the care and charge of the same. He shall wait upon all committees and boards when in session at the City Hall, and in general shall perform all services required by the Mayor, by either branch of the City Council, or by such committees or boards, and shall receive such compensation as the City Council may from time to time determine. His duties. His compensation.

CHAPTER XVII.

ORDINANCES.

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| 1. Ordinances shall be engrossed by City Clerk. | 3. Fines and penalties to inure to use of city. |
| 2. Ordinances shall be published, etc. | 4. Officers shall enforce obedience to ordinances, etc. |

Ordinances shall be engrossed by City Clerk.

SECT. 1. All ordinances which shall hereafter be passed by the City Council, shall be engrossed or recorded by the City Clerk in a fair and legible hand, without interlineation or erasure, and in the order in which they shall be passed, in a book to be kept for that purpose, made of strong linen paper, with proper margins and index, to be lettered, "Record of Ordinances of the City of Cambridge;" which book shall be preserved in the office of the City Clerk, subject to the inspection of the citizens.

Ordinances shall be published, etc.

SECT. 2. All ordinances passed by the City Council shall be inserted four weeks successively in all newspapers published in the city.

Fines and penalties to inure to use of city.

SECT. 3. All fines and penalties for the violation of any ordinance of the city, or any order of the Mayor and Aldermen, shall, when recovered, inure to the use of the city, and shall be paid into the city treasury, unless it shall be otherwise directed by the laws of the Commonwealth, or the ordinances of the city.

Officers shall enforce obedience to ordinances, etc.

SECT. 4. All officers of the city shall enforce obedience to such laws of the Commonwealth, ordinances of the city, and orders of the Mayor and Aldermen, as it may be the duty of such officers respectively to observe and enforce; and, to that end, shall take notice of all complaints, and institute such prosecutions as shall be necessary for that purpose.

CHAPTER XVIII.

POLICE.

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| 1. Police Department, of what to consist. Policemen, how appointed. | 5, 6. Chief of Police. His duties. |
| 2. Compensation of Captains and Policemen. | 7. Duties of Chief and Captains of Police. |
| 3. Special Policemen. Not to receive compensation, except, etc. | 8. Duties of Department. |
| 4. Police organized in three districts. | 9. Powers and duties of Night Policemen. |
| | 10. Policemen to wear uniform, etc. |

SECT. 1. The Police Department shall consist of a Chief of Police, three Captains of Police, one for each Police District, one Captain of Night Police, and such number of Policemen as the Board of Aldermen, with the approval of the Mayor, shall deem necessary. They shall be annually appointed by the Mayor and Aldermen, shall hold office during the pleasure of the Board, and shall, under such rules and regulations as the Board may from time to time prescribe, perform all duties required of them as Day and Night Police, in accordance with the ordinances of the city, and the laws of the State.

SECT. 2. The compensation of the Captains of Police shall be at the rate of twelve hundred dollars per annum, and that of the Policemen shall be three dollars per day, payable monthly.

SECT. 3. The Board may also appoint such Special Policemen as it shall deem necessary, who shall be subject to all rules prescribed by the Board, and shall receive no compensation, except when employed by order of the Chief, or some Captain of Police.

SECT. 4. There shall be three Police Districts: the first comprising the first and fifth wards; the second,

comprising the second and fourth wards, and the third, the third ward.

Chief of
Police.
His duties.

SECT. 5. The Chief of Police shall be the head of the Department of Police, and shall have entire control of the department, its officers and members, and of all constables and other officers when engaged in the service of the department. He shall devote his whole time to maintain and preserve the peace, order, and cleanliness of the city. He shall enforce all special laws relating to the city, and all ordinances thereof, and all orders of the Mayor and Aldermen. He shall take notice of all nuisances, impediments, and obstructions in the streets, sidewalks, lanes, alleys, courts, and public places and squares of the city, and shall remove the same, or take all proper action in relation thereto, under the direction of the Mayor and Aldermen.

Same subject.

SECT. 6. He shall keep a correct and complete record of the business of his department, and shall make a regular report thereof to the Mayor and Aldermen as often as once in three months, and at such other times as they shall require. He may employ clerical assistance as he may find necessary, at an expense not exceeding five hundred dollars a year.

Duties of
Chief and
Captains of
Police.

SECT. 7. The Chief and Captains of Police shall cause proceedings to be instituted for the prosecution of all violations of the laws and ordinances, and see that the same are duly tried. They shall, to the utmost of their ability, obey, and enforce, and carry into effect, all ordinances of the city, and all orders and directions of the Mayor and Aldermen. The Captains of Police Districts shall, within their respective districts, except as herein otherwise provided, have precedence and control of the other police officers.

SECT. 8. Each member of the department shall devote his entire time to the preservation and maintenance of the quiet, order, and peace of the city, shall enforce the laws of the State and the special laws and ordinances of the city, and discharge all duties required of him by special orders. Duties of Department.

SECT. 9. The Night Policemen shall pass in and about the streets, lanes, and principal inhabited places of the city, to prevent danger by fire, and to see that order is kept, and that all disturbances and disorders are prevented and suppressed; and, for that purpose, they shall have authority to examine all persons whom they shall see abroad in the night-time, and whom they shall have reason to suspect of any unlawful design, and to demand of them their business abroad, and whither they are going; to enter any building, for the purpose of suppressing a riot or breach of the peace therein, and to arrest any persons there found making or abetting in a riot or disturbance. And all persons so abroad, and suspected of any unlawful design as aforesaid, who shall not give a satisfactory account of themselves, and all persons so arrested, shall be secured by imprisonment or otherwise, to be safely kept until the next morning, and shall then be taken before the Justice of the Police Court, to be examined and proceeded with according to the nature of their offence. Powers and duties of Night Policemen.

SECT. 10. The Policemen, when on duty, shall wear such uniform, and carry with them such badge of their office as the Mayor and Aldermen shall prescribe. Policemen to wear uniform, etc.

CHAPTER XIX.

SALARIES.

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| 1. Annual salaries of various city officers, to be paid quarterly, in full for all official services. | 2. When to commence. |
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Annual salaries of various city officers, to be paid quarterly, in full for all official services.

SECT. 1. The officers of the city, hereinafter named, shall receive the following annual salaries, to be paid in equal quarterly payments, which shall be in full for all services rendered in their official capacity, namely:—

The Mayor of the city, twenty-five hundred dollars.

City Treasurer, three thousand dollars.

City Clerk, exclusive of fees established by law, two thousand dollars.

Clerk of Common Council, three hundred dollars.

Auditor of Accounts, five hundred dollars.

Board of Assessors, three thousand six hundred dollars.

Assistant Assessors, four dollars each per day, while employed.

City Engineer, three thousand dollars.

Chief of Police, two thousand dollars.

Secretary of School Committee, three hundred dollars.

Superintendent of Streets, two thousand dollars.

Chief Engineer, eight hundred dollars.

Four Assistant Engineers, two hundred and fifty dollars each.

Clerk of Board of Engineers, fifty dollars.

City Messenger, fifteen hundred dollars.

Superintendent of Lamps, four hundred dollars.

Inspector of Milk, two hundred dollars.

Sealer of Weights and Measures, five hundred dollars.

SECT. 2. The above mentioned salaries shall be paid When to commence.
from and after the first Monday in January, 1871.

CHAPTER XX.

SANDERS TEMPERANCE FUND.

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| 1. Fund, and income. Missionary and his duties. | 3. Management of Fund. Appointment of Missionary. |
| 2. Trustees of Fund. | 4. Chairman of Board. Report. |

SECT. 1. The Fund of ten thousand dollars given Fund, and income.
to the city by the late Charles Sanders, shall be called the Sanders Temperance Fund, and the income therefrom shall be appropriated and applied in accordance with his will in payment of the salary of "some worthy man," who shall "be constantly employed as a Missionary in the cause of Temperance—in reforming old drunkards and preventing young drunkards, and abolishing, as far as possible, the use of all intoxicating articles." Missionary and his duties.

SECT. 2. The Mayor and President of the Common Trustees of Fund.
Council, for the time being, *ex officio*, and one member of the Board of Aldermen and two members of the Common Council, shall be the Trustees of said Fund, and the three last named shall be elected annually in the month of January, in convention of the City Council, and whenever a vacancy shall exist in said Board of Trustees the same shall be filled forthwith, in manner aforesaid.

SECT. 3. Said Trustees shall have the care and management of said Fund, and shall keep the same in- Management of Fund.

vested in notes of the city, with interest payable quarterly, at six per cent., to the order of said Trustees; and they shall appoint "some worthy man" to be employed in the manner above provided, who shall receive his salary in equal quarterly payments from said Trustees, and shall hold his office at their pleasure.

Appointment
of Mission-
ary.

Chairman of
Board.

Report.

SECT. 4. The Mayor shall be *ex officio* Chairman of said Board of Trustees, and they shall keep a record of their doings, and annually, at the close of each financial year, make a report thereof to the City Council.

CHAPTER XXI.

SCHOOLS.

- | | |
|--|---|
| 1. Superintendent of Schools. | 7. Expenditures for such Schools. |
| 2. School Committee to elect instructors and determine salaries. | 8. Care of School-houses. |
| 3. Amount of salaries not to exceed appropriation. | 9. Gen. Stats. c. 42, § 4, adopted. |
| 4. Schools for adults. | 10. Punishment of truants, absentees etc. Proviso. |
| 5. Where and when to be held. | 11. Police Court to have jurisdiction of such offences. |
| 6. To be under the superintendence of School Committee. | 12. Truant Officers to be appointed. |

Superintend-
ent of
Schools.

SECT. 1. The School Committee shall annually appoint a Superintendent of Public Schools, who, under the direction and control of said Committee, shall have the care and supervision of the schools, and whose duties shall be defined by said Committee.

School Com-
mittee to
elect in-
structors,
and deter-
mine salaries.

SECT. 2. The School Committee are hereby authorized to elect and employ instructors for the public schools of the city, and determine the amount of their respective salaries.

Amount of
salaries not
to exceed ap-
propriation.

SECT. 3. The School Committee, in distributing the sum annually appropriated by the City Council for

salaries of instructors in the public schools, shall so fix and graduate the amount of salary of each instructor, that the aggregate amount of all such salaries shall in no case exceed the sum so appropriated by the City Council.

SECT. 4. In addition to the schools required by law Schools for adults. to be maintained in the City of Cambridge, there shall be three public schools for the education of persons over fifteen years of age.

SECT. 5. Said schools shall be located in such parts Where and when to be held. of the city as the School Committee may from time to time determine, and may be held for three evenings in each week, during the months of November, December, January, February, and March, between the hours of seven and nine o'clock.

SECT. 6. The School Committee shall have the same To be under superintendence of School Committee. superintendence over said schools as they have over other schools in the city, and shall determine what branches of learning may be taught therein.

SECT. 7. Such sums of money only shall be expended Expenditures for such schools. for the maintenance of said schools as shall from time to time be expressly appropriated therefor by the City Council.

SECT. 8. The Mayor and Aldermen shall employ Care of school-houses. suitable persons to keep the school-houses of the city clean and in good order, and properly warmed and ventilated; and the persons so employed shall also render such assistance to the Committee on Fuel as that Committee may from time to time require.

SECT. 9. The City of Cambridge hereby adopts Gen. Stats. c. 42, § 4, adopted. section fourth of the forty-second chapter of the General Statutes, and avails itself of the provisions thereof.

SECT. 10. Any minor, between the ages of five and Punishment of truants, absentees, etc. sixteen years, who has not attended school in conformity to the laws of this Commonwealth, all habitual

truants and absentees from school, and all children that are about the streets, begging, or trespassing upon lands, gardens, or orchards, upon conviction of any offence herein described, shall be punished by fine, not exceeding twenty dollars ; or, instead thereof, by being committed to the Almshouse, at the discretion of the Justice of the Police Court, for such time as said Justice may determine, not exceeding two years : *Provided, however*, that any minor convicted of either of the offences herein mentioned may be discharged by such Justice according to the provisions of said chapter.

Provide.

Police Court
to have juris-
diction of
such of-
fences.

SECT. 11. The Justice of the Police Court in the City of Cambridge shall have jurisdiction of the offences herein set forth ; and the Almshouse is hereby assigned and provided as the institution of instruction, house of reformation, or suitable situation, mentioned in said chapter.

Truant offi-
cers to be ap-
pointed.

SECT. 12. The Mayor and Aldermen shall, in the month of January annually, appoint three or more persons to make complaints, in every case of violation of the provisions of the tenth section of this Chapter, to the said Justice of the Police Court, in conformity to the provisions of said chapter of the General Statutes.

[So much of the foregoing ordinance as relates to truant children and absentees from school is taken from an ordinance which was approved by the Court of Common Pleas, December Term, 1853.]

CHAPTER XXII.

SEAL OF THE CITY.

The following shall be the device of the seal of the ^{City}Seal. city, to wit: In the centre thereof, a shield, bearing upon it a view, in distant perspective, of Cambridge and Boston, united by a bridge; on the extreme left, the towers of Gore Hall, and on the extreme right, the dome of the State House, to indicate the two places; under the shield, the inscription shall be, "*Cantabrigia condita A. D. 1630 : Civico regimine donata A. D. 1846.*" Around the seal, as the city motto, shall be the words, "*Literis antiquis novis institutis decora.*"



CHAPTER XXIII.

SEWERS.

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| <ol style="list-style-type: none"> 1. Main drains, how to be laid and built. 2. Entries into common sewers. Permit. 3. Bond to be given. 4. City Engineer to have charge of drains; to make contracts. | <ol style="list-style-type: none"> 5. Plans of drains. Repairs. Labor and teams to be furnished by Superintendent of Streets. 6. Expense of constructing, etc., to be reported to Mayor and Aldermen. 7. Assessments, and their collection. |
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SECT. 1. All drains and common sewers shall be laid, as nearly as possible, in the centre of the streets ^{Main drains, how to be laid and built.}

or highways in which they are constructed ; and all drains and sewers laid out and constructed by or under authority of the city, shall be built of such materials, size, depth, and grade, and in such course, as the City Engineer shall direct.

Entries into
common
sewers.
Permit.

SECT. 2. Whoever enters a drain into any main drain or sewer, without a permit in writing from the City Engineer, shall be liable to a fine of twenty dollars ; and such permit shall state the time, place, manner, and construction of such entering, and that it shall be made under the superintendence of the City Engineer.

Bond to be
given.

SECT. 3. Before granting such permit, the City Engineer shall require and receive from the owner of the estate for the benefit of which the entrance is to be made, his personal bond, binding him and his legal representatives to comply with all the terms of the permit, to keep the entering drain in good repair, and to indemnify and save the city in every way harmless from all loss, cost, damage, and expense, caused, arising, or in any direct, indirect, or contingent way, happening by, from, or on account of either such entering, or such entering drain, during the construction thereof, and for one year thereafter.

City Engi-
neer to have
charge of
drains.

SECT. 4. The City Engineer shall, under the direction of the Joint Standing Committee on Sewers and Drains, take the general superintendence of all main drains and common sewers, built, or permitted to be built or owned by the city, and take charge of the building, repairs, and keeping in order of the same, and make all contracts for the supply of labor and materials therefor.

To make con-
tracts.

Plans of
drains.

SECT. 5. He shall make and file in his office accurate plans of all sewers and main drains, showing all entrances thereto when made. He shall have constant

care of, and keep clean, and in every way in proper order, condition, and repair, all cess-pools and main drains; and for all labor and teams required by him in his duties, he shall call on the Superintendent of Streets, who shall forthwith furnish the same, and charge the expense thereof to the appropriation for Sewers and Drains.

Repairs.

Labor and teams to be furnished by Superintendent of Streets.

SECT. 6. He shall keep and submit to the Mayor and Aldermen an accurate account of the expenses of constructing each main or lateral drain, together with a plan in detail thereof, made up to conform to the principle upon which estates are to be assessed for it, showing all estates abutting thereon, or deriving benefit therefrom, with their areas and owners' names. He shall keep, and whenever requested report to the Mayor and Aldermen, an accurate account of the cost of repairing, and all other expenses upon each common sewer or main drain; and he shall annually, in December, submit a report of all work performed, and the amount of all expenditures from the appropriation for Sewers and Drains.

Expense of constructing, etc., to be reported to Mayor and Aldermen.

SECT. 7. The Mayor and Aldermen, in making assessments for defraying the expense of constructing or repairing common sewers or main drains, shall deduct from the expense such part as they may deem proper, to be charged to, and paid by the city; shall, agreeably to law, apportion and assess the remainder thereof upon the persons and estates deriving benefit therefrom, either by entering their drains therein, or any more remote means; shall fix the time when such assessments shall be paid, and deliver the same to the City Treasurer for collection.

Assessments and their collection.

CHAPTER XXIV.

STATE AID TO VOLUNTEERS.

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| 1. The Mayor to draw upon the Treasurer. | 3. Orders to be drawn by members of Committee. |
| 2. Money to be left with Treasurer. | 4. To be stamped by City Clerk. |
| | 5. Provision for Drafts. |

The Mayor to
draw upon
the Treasurer.

SECT. 1. The Mayor is hereby authorized to draw his orders, from time to time, upon the City Treasurer, in favor of the Treasurer of the "Committee on Cambridge Soldiers and their Families," for the sum of one thousand dollars each; such orders to be countersigned by the Auditor, and the amount thereof to be charged to the "Appropriation for Volunteers and their Families."

Money to be
left with
Treasurer.

SECT. 2. The Treasurer of said Committee shall indorse said orders; but, in lieu of drawing said money from the Treasury, he shall leave the same in the hands of the City Treasurer, to be by him paid upon orders drawn from time to time by the members of said Committee in the manner hereinafter provided.

Orders to be
drawn by
members of
Committee.

SECT. 3. The members of said Committee are hereby authorized to draw their orders, from time to time, upon the City Treasurer, in favor of any of the volunteers or their families, as they may require aid: *Provided, however*, that no such order shall be drawn unless the same shall first have been authorized by a vote of said Committee.

To be stamp-
ed by City
Clerk.

SECT. 4. Before such orders are paid by the City Treasurer, they shall be stamped by the City Clerk, as the Clerk of said Committee, who shall enter in a book, to be kept for that purpose, the date and

amount of such order, by whom drawn, and in whose favor; which book shall, at all times, be open for the inspection of the Committee and the City Council, or any member thereof; and such orders, when paid, shall be delivered up to the City Treasurer, and retained by him.

SECT. 5. Whenever it shall appear, by the book so kept by the City Clerk, that the amount of the Mayor's drafts is exhausted, or nearly so, the Mayor is hereby authorized to draw further orders, and so from time to time, as may be required to meet the orders drawn by the members of said Committee: *Provided, however,* that the aggregate amount of such orders, and the sums otherwise paid from and charged to said appropriation, shall not exceed the amount of said appropriation.

CHAPTER XXV.

STREETS.

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| 1. Width of streets. | 17. License to remove buildings. By whom granted. |
| 2. Acceptance of streets. | 18. Gates swinging outward. |
| 3. Names of streets. | 19. Obstructions by door-steps, etc. |
| 4. Street numbers. Penalty. | 20. Walls, drains, etc. |
| 5. Sidewalks. | 21. Ashes, etc., not to be placed in streets. |
| 6. Record of streets and sidewalks. | 22. Firewood, coal, etc., in streets. |
| 7. Superintendent of Streets. | 23. Cattle not to go at large, etc. |
| 8, 9. His duties. | 24. Regulations as to riding and driving through streets. |
| 10. In case of defects in highway, etc., to put up fence and lights. | 25. Riding or driving upon sidewalks, etc. Obstructions. |
| 11. Fast driving, etc. | 26. Snow to be removed from sidewalks. Ice to be removed, etc. Penalty. |
| 12. Same on Lord's day. | 27. No snow or ice to be put in streets, unless, etc. |
| 13. Arrests made on Lord's day. | 28. Swimming or bathing in view of any person. |
| 14. No street, etc., to be obstructed without license. | |
| 15. Mayor and Aldermen may grant license. | |
| 16. Conditions of license. | |

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| 29. Gaming in streets. Tables, booths, etc.
30. Discharge of fire-arms within the city.
31. Injuring guide-boards, lamps, trees, etc. | 32. Certain injurious practices in streets.
WEST BOSTON AND CRAIGIE'S BRIDGES.
33. Commissioner. His compensation.
34. His powers.
35. To report annually. |
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Width of streets.

SECT. 1. All streets hereafter laid out, which shall be two hundred feet or more in length, shall be not less than forty feet wide; and all streets not two hundred feet in length shall be not less than thirty feet wide.

Acceptance of streets.

SECT. 2. No street laid out since the twenty-first day of August, in the year eighteen hundred and fifty-one, shall be accepted, unless it be of the width required in this Chapter. But the provisions of this section, and the preceding, shall not apply to any street so far as the same shall be contiguous to and parallel with any other street or way already accepted, or laid out, or otherwise a public way.

Names of streets.

SECT. 3. The City Council shall give names to all streets and squares which shall hereafter be laid out, and may change the name of any street or square when they see fit.

Street numbers.

SECT. 4. The Board of Aldermen may cause numbers in regular series, of such form, size, and material, and in such mode, place, succession, and order, as it shall from time to time determine, to be affixed to, or inscribed upon, all dwelling-houses and other buildings fronting on any street, lane, alley, or public court in the city. Any owner or occupant of any such building, or part thereof, refusing or neglecting so to affix to, or inscribe upon the same, the number designated by the Board, or allowing any other number to remain thereon more than one week, shall, for each offence, forfeit and pay a sum not less than one dollar, and not exceeding twenty dollars.

Penalty.

Sidewalks.

SECT. 5. All sidewalks, which are now or shall here-

after be accepted, shall be kept in repair at the expense of the city: *Provided, however,* that all such repairs of the same as shall be rendered necessary by any act of the owner or occupant of the adjoining land, or by any defect in the buildings thereon, or by any other cause under the control of such owner or occupant, shall be made by such owner or occupant; and if they shall neglect to make such repairs, the same shall be made by the city, at the expense of such owner or occupant.

SECT. 6. The City Clerk shall enter, in a book to be kept for the purpose, the names of all the streets in the city, which have been or hereafter shall be laid out, alphabetically arranged; and also a list of all sidewalks that now are or hereafter may be accepted, the date of the acceptance, and the names of the owners of the adjacent estates.

Record of streets and sidewalks.

SECT. 7. There shall be chosen, at the commencement of each municipal year, by concurrent vote of the City Council, to be first acted upon by the Mayor and Aldermen, an able and discreet person, to be styled the Superintendent of Streets, who shall hold his office at the pleasure of the City Council, and shall receive such compensation as the City Council shall determine. Whenever said office shall become vacant by death, resignation, or otherwise, a successor shall be appointed in the manner herein prescribed.

Superintendent of Streets.

SECT. 8. The Superintendent of Streets shall, under the direction and control of the Surveyors of Highways, or a committee of that Board, have the general care and charge of the highways, streets, lanes, sidewalks, and bridges of the city; and shall attend to the making, amending, and alteration thereof, and cause the same to be kept in good repair, so as to be safe and convenient for travellers, with their horses, teams,

His duties.

and carriages, at all seasons of the year. He shall see that the highways, streets, and sidewalks are kept in good order, and that all nuisances and obstructions therein are forthwith removed, or shall give notice thereof to the Mayor or Chief of Police.

Same subject.

SECT. 9. The Superintendent of Streets shall have the general care and control of the teams, carts, and stables of the city; and he may, under the direction of the committee above mentioned, make all necessary contracts for the supply of any labor or materials he may require in the discharge of his official duty.

In case of defects in highway, etc., to put up fence and lights.

SECT. 10. Whenever any highway, bridge, or street of the city shall, from want of necessary repair, or by reason of any alteration or repair thereof being made, or of any drain, common sewer, or culvert being open or constructing across or through the same, or for any other cause, be unsafe or inconvenient for travellers or passengers, the Superintendent of Streets shall forthwith put up a suitable fence across such highway, street, or bridge, and exclude all travellers from passing over the same; or cause the parts thereof, so rendered unsafe and inconvenient as aforesaid, to be inclosed by a sufficient fence, which shall be kept standing so long as the same shall remain unsafe and inconvenient; and he shall also fix one or more lighted lanterns to said fence, or in some other proper manner, to be there kept every night, from twilight in the evening and through the whole night, so long as said fence shall be kept standing.

Fast driving, etc.

SECT. 11. No person shall ride any horse, or drive any horse or horses, or cause the same to be ridden or driven, for trial of speed, or at an immoderate speed, on any street or public highway, or on any bridge in the city, or shall, by the careless, immoderate, or dis-

orderly riding or driving of any such horse or horses, whether harnessed to any gig, chaise, or other vehicle, or not, or by noises, shouts, or outcries, on any such street or highway, disturb the public peace.

SECT. 12. No person shall, by committing any of the offences mentioned in the preceding section, on the Lord's day, or in any other manner, molest or endanger any person in going to or returning from public worship, or shall obstruct, annoy, or interrupt any person in the free and quiet enjoyment of his religious rights and privileges. Same on Lord's day.

SECT. 13. Every person found in any street or highway in the city, on the Lord's day, committing any of the offences mentioned in the preceding sections, may be apprehended by any Constable, Police Officer, or any other person, by order of any Justice of the Peace within the county of Middlesex, without written warrant, and kept in custody not exceeding twenty-four hours, by or at the expiration of which time such offender shall be taken before the Justice of the Police Court, and proceeded against in the manner provided by law. Arrests made on Lord's day.

SECT. 14. No person shall break or dig up the ground or stones, in any street, lane, or alley, or any sidewalk or common, in the city, or erect any staging for building, or place or deposit any stone, bricks, timber, or other building materials thereon, without first obtaining a written license from the Mayor and Aldermen, and complying in all respects with the conditions of such license. No street, etc., to be obstructed without license.

SECT. 15. The Mayor and Aldermen may grant a license, in writing, to any person, for the purpose of building, or other lawful purpose, to dig up, obstruct, or encumber so much and such parts of any street, lane, alley, sidewalk, or other public place in the city, Mayor and Aldermen may grant license.

and on such terms and conditions, as they shall deem safe and proper.

Conditions of
license.

SECT. 16. Whenever any street, lane, alley, sidewalk, or other public place in the city, shall, under any license granted as provided in the preceding section, be dug up, obstructed, encumbered, or otherwise rendered unsafe or inconvenient for travellers, the person so licensed shall put, and at all times keep up, a suitable railing or fence round the section or part of any street, lane, alley, or other public place so dug up, obstructed, or encumbered, so long as the same shall be or remain unsafe or inconvenient as aforesaid; and shall also keep one or more lighted lanterns fixed to such fence, or in some other proper manner, every night, from twilight in the evening and through the whole night, so long as such railing or fence shall be kept standing. He shall also, within such reasonable time as the Superintendent of Streets shall direct, amend and repair such street, lane, alley, sidewalk, or public place, to his acceptance.

License to re-
move build-
ings.

SECT. 17. No person shall move, or assist in moving, any house, or other building, through or upon any street in the city, unless a written license therefor has been first obtained, specifying the terms and conditions on which such removal may be made. Such license may be granted by the Mayor and Aldermen at any time when they are in session, or at any other time by the Mayor, with the consent and approbation of an Alderman residing in the ward where such building is situated.

By whom
granted.

Gates swing-
ing outward.

SECT. 18. No person shall make, erect, or maintain any gate or door in or upon any street, lane, alley, or sidewalk in the city, in such manner that, when opening the same, it shall swing over such street, lane, alley, or sidewalk.

SECT. 19. No person shall make, erect, or maintain any door-step, portico, porch, entrance, or passage-way to any cellar or basement, or any other structure, in or upon any street, lane, alley, or sidewalk in the city, without permission in writing from the Mayor and Aldermen. No person shall suffer the platform or grate of the entrance or passage-way to his cellar or basement, heretofore constructed, or which may hereafter be constructed, in any street, lane, alley, or sidewalk, to rise above the even surface of such street, lane, alley, or sidewalk; and every such entrance or passage-way shall be at all times kept covered by a suitable and substantial platform or grate; or, in case it shall be kept open, it shall be guarded and protected by a sufficient railing, on both sides thereof, at least two feet and a half high, and well lighted at night. No person shall permit or suffer his well, cistern, or drain, in any street, lane, alley, or sidewalk in the city, to be or remain open or uncovered, unless the same shall be inclosed by a strong and safe curb, guard, or fence.

SECT. 20. If any person shall dig or sink, or cause to be dug or sunk, any well, cistern, drain, or other cavity in the ground, near to or adjoining any street, lane, or alley in the city, he shall put up, and at all times keep up, so long as it shall be necessary for the purpose, a railing or fence, on or near the line of such street, lane, or alley, sufficient to guard and protect travellers and passengers from falling into or being injured by said well, cistern, drain, or other cavity.

SECT. 21. No person shall put or place, or cause to be put or placed in any street, lane, alley, or other public place in the city, any house-dirt, ashes, garbage, shreds, shavings, filth, suds, offal, oyster-shells, or other kind of rubbish, except in such place, and in such manner, as the Superintendent of Streets shall prescribe.

Fire-wood,
coal, etc., in
streets.

SECT. 22. No person shall suffer his fire-wood, coal, or other fuel, in any quantity, to remain unnecessarily on any sidewalk, or in any street, lane, or alley, in the city, over night, or after twilight in the evening. If the same must of necessity remain after twilight, or through the night, the owner thereof shall place and keep a sufficient light over or near the same through the night, in order to give notice thereof to travellers and passengers, and thereby prevent injury to them.

Cattle not to
go at large,
etc.

SECT. 23. No owner or person having the care of any sheep, swine, horses, oxen, cows, or other grazing animals shall permit or suffer the same to go at large, or to graze on any street, lane, or alley, common, square, or other public place within the city.

Regulations
as to riding
and driving
through
streets.

SECT. 24. No person shall ride any horse, or drive any horse or horses, attached to a carriage of any description, either of burden or pleasure, or cause the same to be ridden or driven, in any street, lane, or alley, or over any bridge in the city, at an immoderate gait, so as to endanger or expose to injury any person standing, walking, or riding in or on the same. And every person having any truck, cart, wagon, or other team of burden, under his care, shall, when driving or passing in or upon any street, lane, alley, or bridge in the city, hold the reins of his horse or horses in his hand, or be in such position, and so near the team he is driving, as to be able at all times to guide, restrain, and govern the same.

Riding or
driving upon
sidewalks,
etc.

SECT. 25. No person shall drive, wheel, or draw any coach, cart, or other carriage of burden or pleasure, or permit any horse, cattle, swine, or sheep, under his care to go upon any sidewalk in the city, nor shall he otherwise occupy, obstruct, injure, or encumber any such sidewalk, so as to interfere with the convenient use of the same by foot passengers. No person shall stop his

team or carriage, or unnecessarily place any other Obstructions. obstruction, on any flagging-stones laid in or across any street, lane, or alley in the city, nor suffer his wagon, cart, sled, or other vehicle to remain an unnecessary length of time on any sidewalk, or in any street, lane, or alley of the city.

SECT. 26. The tenant, occupant, or any person having the care of any building, or lot of land, bordering on any street, lane, court, square, or public place within the city, where there is any footway or sidewalk, and in case there may be no tenant, occupant, or other person having the care of the whole of any such building or lot, the owner thereof, shall cause the snow falling upon such footway or sidewalk, whether from any building or otherwise, to be removed therefrom, and any ice which encumbers such sidewalk, or any part thereof, to be removed, or covered with sand, or other suitable substance, so as make such sidewalk safe and convenient; and if he fails to do so, after receiving notice from the Chief of Police, he shall forfeit and pay a sum not less than two dollars, nor more than ten dollars, for each and every succeeding day that the same may continue to be so encumbered with snow or ice. Snow to be removed from sidewalks. Ice to be removed, etc. Penalty.

SECT. 27. Any person who shall throw or put, or cause to be thrown or put, into any street, lane, or alley in the city, any snow or ice, shall cause the same to be broken into small pieces and spread evenly over the surface of such street, lane, or alley. But no snow or ice shall be thrown or put into any street, lane, or alley, or upon any bridge, contrary to the orders of the Superintendent of Streets. No snow or ice to be put in streets, unless, etc.

SECT. 28. No person shall swim or bathe in any of the waters within or surrounding the city, so as to be exposed to the view of passengers or other persons in any street, lane, alley, or house within the city. Swimming or bathing in view of any person.

Gaming in
streets.

SECT. 29. No person shall expose, in or upon any street, lane, alley, public place, or common in the city, any table or device of any kind, by or upon which any game of hazard or chance can be played ; nor shall any person play any such game at such table or device, in or upon any street, lane, alley, public place, or common in the city. No person shall place or keep any table, stall, booth, or other erection, in any street, lane, alley, or public place, or on the Common, or any sidewalk, in the city, for the sale of fruit or other things, without permission from the Mayor and Aldermen.

Discharge
of fire-arms
within the
city.

SECT. 30. No person shall, except in the performance of some legal duty, discharge any gun, pistol, or other fire-arm, within the principal inhabited parts of the city, or within fifty rods of any dwelling-house therein.

Injuring
guide-boards,
lamps, trees,
etc.

SECT. 31. No person shall injure, deface, or destroy any guide-post or guide-board, any lamp-post, or lamp or lantern thereon, heretofore erected, or which shall be erected in the city ; or any tree, building, fence, post, or other thing, set, erected, or made for the use or ornament of the city ; nor paint or draw any words or figures, or post any written or printed matter, upon the property of any private person or corporation, without the consent of the owner or occupant thereof, nor upon any property of the city, without the consent of the Mayor.

Certain in-
jurious prac-
tices in
streets.

SECT. 32. No person shall behave himself in a rude or disorderly manner, or use any indecent, profane, or insulting language, in any street, lane, alley, or other public place in the city, or near any dwelling-house or other building therein ; or be or remain upon any sidewalk, or upon any door-step, portico, or other projection from any such house or other building, to the annoyance or disturbance of any person ; nor shall any person, by any noise, gestures, or other means, wantonly

and designedly frighten or drive any horse, in any street or other public place in the city. No person shall play at football or any other game of ball, or "hurly," or fly kites or balloons, or coast, or throw stones or snowballs, in any street, lane, or alley of the city.

WEST BOSTON AND CRAIGIE'S BRIDGES.

SECT. 33. In May, eighteen hundred and seventy-one, ^{Commissioner.} and annually afterwards in March, the Mayor and Aldermen shall appoint a Commissioner for this city, on West Boston and Craigie Bridges. The Commissioner, appointed the present year, shall enter upon his duties forthwith, and shall hold office until the first Monday of May, eighteen hundred and seventy-two, and until his successor is appointed. The Commissioner appointed annually afterwards shall hold office one year from the first Monday of May, in the year in which he is appointed, and until his successor is appointed. He may be removed at the pleasure of the Mayor and Aldermen, and the vacancy for the unexpired term may be filled at any time. His compensation ^{His compensation.} shall be at the rate of five hundred dollars per annum, payable monthly.

SECT. 34. He shall have and exercise all the powers ^{His powers.} in relation to the care and management of said bridges, conferred by the three hundred and second chapter of the Acts of the year eighteen hundred and seventy.

SECT. 35. He shall annually, in December, report to ^{To report annually.} the City Council a particular account of all expenditures, the number of times the draws have been opened, and other matters of general interest in relation to said bridges, for the previous year, with an estimate of the amount required of the city for the care and maintenance of said bridges for the year ensuing.

CHAPTER XXVI.

TAXES.

- | | |
|---|---|
| <ol style="list-style-type: none"> 1. Assistant Assessors. 2. Their duty. 3. Valuation and assessment, when to be made. 4. Transfer of taxes. 5. Dooming of personal estate. 6. Record of abatement of taxes. 7. Poll-taxes. | <ol style="list-style-type: none"> 8. Taxes on real estate. 9. Taxes to be collected within the municipal year. 10. Discount. Summons to delinquents. 11. Taxes, when to be paid over to Treasurer. |
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Assistant Assessors.

SECT. 1. The qualified voters of the city shall, at their annual meeting for the election of municipal officers, elect five Assistant Assessors, one from each ward; and such Assistant Assessors shall hold their offices for the term of one year.

Their duty.

SECT. 2. It shall be the duty of the Assistant Assessors in the first and fifth wards to visit, in company with one or more of the Assessors, the different estates in the district comprising said wards, and to assist the Assessors in taking a list of the polls, and in appraising the value of the real estate; the Assistant Assessors in the second and fourth wards shall, in like manner, perform the like duties in the district comprising the said wards; and the Assistant Assessor in the third ward shall, in like manner, perform the like duties in said third ward.

Valuation and assessment, when to be made.

SECT. 3. The Assessors shall make their valuation of estates, and complete the assessment of taxes, and place a list thereof in the hands of the Treasurer, on or before the twentieth day of August in each year.

Transfer of taxes.

SECT. 4. The Assessors may, in their discretion, transfer the amount of taxes assessed on real estates, not owned at the time of assessment by the persons charged with such taxes, to the persons by whom the said real estates were owned at that time.

SECT. 5. All personal estate, of which no schedule shall be furnished to the Assessors, as provided by law, shall be doomed by them. Dooming of personal estate.

SECT. 6. The Assessors, if they shall abate any tax, wholly or in part, shall keep a record thereof in a book to be provided for that purpose; which record shall contain the name of the person whose tax shall be so abated, the amount of his tax as originally assessed, the amount abated, and the reasons for such abatement. Record of abatement of taxes.

SECT. 7. Tax-bills for all poll-taxes assessed on persons who shall be assessed for a poll-tax only, shall be issued as soon as the amount of such tax in each year can be ascertained, and such poll-tax shall be paid when demanded; and if not so paid to the Treasurer, he shall forthwith proceed to collect the same in the manner provided by the laws of the Commonwealth for the collection of taxes from delinquents. Poll-taxes.

SECT. 8. The Treasurer shall, within thirty days after the Assessors shall have placed any list of taxes in his hands for collection, deliver to every person on whom any tax other than a poll-tax shall have been assessed, or leave at his place of abode or business, a bill of such taxes, which shall be equivalent to a special demand of payment thereof; and all taxes shall be payable, and payment thereof may be enforced, by distress or imprisonment, at the expiration of fourteen days after bills of the same shall have been delivered or left as provided in this section. Taxes on real estate.

SECT. 9. The Treasurer shall, within the municipal year for which he was chosen, collect all taxes committed to him, from all persons against whom he shall have any such tax, and who shall be resident in or have sufficient goods or estate within the city. Taxes to be collected within the municipal year.

SECT. 10. Whoever shall pay his taxes on or before the tenth day of October, shall be entitled to a dis- Discount.

Summons to delinquents. count of four per cent. And on the first day of November, the Treasurer shall issue his summons to all delinquents, that, if their taxes are not paid within ten days from the date thereof, with twenty cents for said summons, he will then proceed to collect the same according to law; and he shall give notice by attaching this section to all tax-bills.

CHAPTER XXVII.

TREASURER.

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| 1. City Treasurer shall be Collector of Rents, etc. | 3. Collection of assessments. |
| 2. His bond. | 4. Office hours of Treasurer. |

City Treasurer shall be Collector of rents, etc.

SECT. 1. The City Treasurer shall be the Collector of all rents, and other sums payable to the city, not otherwise specially provided for.

His bond.

SECT. 2. He shall give a bond in such form as the City Clerk shall approve, with sufficient sureties, to be approved by the Mayor and Aldermen, in a sum not less than forty thousand dollars, which bond shall be executed, approved, and delivered before he enters upon the duties of his office. In case of the death or insolvency of any of the sureties on any bond so given, the Treasurer shall immediately give a new bond, with sufficient sureties, as hereinbefore provided; and if he shall fail to give such new bond within a reasonable time after notice to do so, it shall be a sufficient cause for removal from office.

Collection of assessments.

SECT. 3. Whenever any assessments for defraying the expense of constructing or repairing common sewers or main drains, or of completing sidewalks, shall be delivered to the City Treasurer for collection, he shall

forthwith demand payment, in writing, of said assessments; and if any such assessments remain unpaid for three months after such demand, he shall collect the same by legal process.

SECT. 4. The office of the City Treasurer shall be kept open for business, between the hours of eight A. M. and two P. M. from April first to November first, and between the hours of nine A. M. and two P. M. during the remainder of the year.

Office hours
of Treasurer.

CHAPTER XXVIII.

WARDS.

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| 1. Boundaries of the several Wards. | 2. Number of members of the Common Council to be elected by each Ward. |
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SECT. 1. The five wards of the city shall, until the month of October in the year eighteen hundred and seventy-two, be constituted and known as follows:—

Boundaries
of the several
Wards.

Ward One. Beginning at the boundary line between Cambridge and Belmont, on Concord Avenue; thence by the centre of Concord Avenue to Bond Street; thence by the centre of Bond Street to Garden Street; thence by the centre of Garden Street to Shepard Street; thence by the centre of Shepard Street to North Avenue; thence by the centre of North Avenue to Sacramento Street; thence by the centre of Sacramento Street to the boundary line between Cambridge and Somerville; thence by said boundary line to a point which would be struck by the central line of Dana Street, if extended northerly to said boundary line; thence by a line to Dana Street, and by the centre of Dana Street to Main Street;

Ward One.

thence by the centre of Main Street to Mount Auburn Street; thence by the centre of Mount Auburn Street to Putnam Street; thence by the centre of Putnam Street to Western Avenue; thence by the centre of Western Avenue to the boundary line between Cambridge and Brighton; thence by said boundary line to the boundary line between Cambridge and Watertown; thence by the last-mentioned boundary line to the boundary line between Cambridge and Belmont; thence by the last-mentioned boundary line to the point begun at.

Ward Two. *Ward Two.* Beginning at the boundary line between Cambridge and Somerville, at a point which would be struck by the central line of Dana Street if extended northerly to said boundary line; thence by a line to Dana Street, and by the centre of Dana Street to Main Street; thence through the centre of Main Street to Norfolk Street; thence by the centre of Norfolk Street to Washington Street; thence by the centre of Washington Street to the junction of Washington and Main Streets; thence by a line at a right angle southerly to the water; thence by the water to the mouth of Broad Canal; thence by the centre of Broad Canal to North Canal; thence by the centre of North Canal, and northerly, in a line continued therefrom, to the boundary line between Cambridge and Somerville; thence by said boundary line to the point begun at.

Ward Three. *Ward Three.* Beginning at the water, at the mouth of Broad Canal; thence by the centre of Broad Canal to North Canal; thence by the centre of North Canal, and northerly, in a line continued therefrom, to the boundary line between Cambridge and Somerville; thence by said boundary line to the waters of Charles River; thence by the water to the point begun at.

Ward Four. *Ward Four.* Beginning at the boundary line be-

tween Cambridge and Brighton, on Western Avenue; thence through the centre of Western Avenue to Putnam Street; thence through the centre of Putnam Street to Mount Auburn Street; thence through the centre of Mount Auburn Street to Main Street; thence through the centre of Main Street to Norfolk Street; thence through the centre of Norfolk Street to Washington Street; thence through the centre of Washington Street to the junction of Washington and Main Streets; thence by a line at a right angle southerly to the water; thence by the water to the point begun at.

Ward Five. Beginning at the boundary line between Cambridge and Belmont, on Concord Avenue; thence by the centre of Concord Avenue to Bond Street; thence by the centre of Bond Street to Garden Street; thence by the centre of Garden Street to Shepard Street; thence by the centre of Shepard Street to North Avenue; thence by the centre of North Avenue to Sacramento Street; thence by the centre of Sacramento Street to the boundary line between Cambridge and Somerville; thence by said boundary line to the boundary line between Cambridge and Arlington; thence by the said last-mentioned boundary line and the boundary line between Cambridge and Belmont to the point begun at. Ward Five.

SECT. 2. The ward herein designated as Ward One shall elect four members of the Common Council; the ward designated as Ward Two shall elect five members of the Common Council; the ward designated as Ward Three shall elect five members of the Common Council; the ward designated as Ward Four shall elect four members of the Common Council; the ward designated as Ward Five shall elect two members of the Common Council. Number of
members of
Common
Council.

CHAPTER XXIX.

THE WATER WORKS.

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| <ol style="list-style-type: none"> 1. Water Board. How elected. Term of Office. 2. President. Clerk. 3. Powers of Board. 4. Annual reports. 5. May sell personal property. 6. Expenditures. 7. Duties of President. 8. Extensions, etc. 9. Superintendent. 10. Water Registrar. 11. His duties. 12. Water-rates. 13. Receipts. Interest. | <ol style="list-style-type: none"> 14. Water-rates, when to be paid. 15. Non-payment. 16. Abatements. 17. Records. 18. Water Board, not to be interested, etc. 19. Injury to works. 20. Regulations. 21. Waste of water. 22. Pipes and fixtures. 23. Rates. 24. Use of water by the city. 25. Police to report waste, etc. |
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Water
Board.

SECT. 1. The Cambridge Water Board shall consist of seven persons, — the Mayor and President of the Common Council, *ex officio*, and five other persons, residents of the city, one from each ward, to be elected by the City Council by ballot. One of the persons so elected shall go out of office on the thirtieth day of June in each year.

How elected.
Term of
office.

The City Council shall annually, on the first Wednesday in June, elect, in joint convention, one member of the Board, to hold office for the term of five years, to fill the vacancy caused by the term so expiring. Whenever a vacancy shall occur by death, resignation, or removal, the vacancy shall be filled by an election in joint convention, and the person so elected shall hold office for the remainder of the term for which his predecessor was chosen. Every person elected to fill a vacancy in the Board, shall be a resident of the same ward as his predecessor; and the Board shall always be so constituted that each ward of the city shall have

one of the elective members. Said members shall, in addition to the above term, hold their office until others are elected in their places; and any member may be removed for cause, by concurrent vote of both branches of the City Council. No member of the City Council shall be elected a member of the Board.

SECT. 2. The President of the Water Board shall ^{President.} be elected by the Board, and shall be one of the five persons mentioned in the first section of this ordinance. The Board may choose a Clerk, and make ^{Clerk.} such rules and regulations for its own government and in relation to all officers appointed by the Board, as it may deem expedient.

SECT. 3. The Water Board, so constituted and organized, shall have and exercise all the powers vested in the City Council by an Act of the Legislature of Massachusetts, approved on the twenty-fifth day of April, A. D. 1865, entitled "An act for supplying the City of Cambridge with pure water," and by any acts in addition thereto, so far as the same can be legally delegated; and they shall have power to appoint a Superintendent, Water Registrar, and all subordinate agents and assistants, and may fix their compensation and that of the Clerk before mentioned: *Provided*, that the same shall not exceed in the whole the sum appropriated therefor by the City Council; but all the powers mentioned in this section shall be subject to any limitations and restrictions contained in the ordinances, regulations, and orders of the City Council. ^{Powers of Board.}

SECT. 4. The Water Board, on or before the fifteenth day of December in each year, shall present to the City Council a report containing a statement of the condition of all the Water Works, and of the lands and other property connected therewith, with an ac- ^{Annual report.}

count of all receipts and expenditures, together with any information or suggestions which they may deem important, and they shall at the same time transmit to the City Council the Reports of the Superintendent and Water Registrar.

May sell personal property.

SECT. 5. The Water Board is authorized to sell such of the personal property connected with the Water Works as it may deem expedient, subject to the approval of the Mayor; and all necessary papers shall be executed by the Mayor.

Expenditures.

SECT. 6. All bills for expenditures for the Water Works shall be approved by the Water Board, examined by the Auditor, and allowed by the Committee on Accounts, before they are paid by the Treasurer.

Duties of President.

SECT. 7. The President of the Water Board shall exercise a general supervision over all the Water Works, and the materials and property connected therewith, and over all subordinate officers and agents. In case of his absence or inability, his duties may be performed by a president *pro tempore*, to be chosen by said Board.

Extensions, etc.

SECT. 8. The Water Board shall have full power to make all necessary repairs, extensions, or improvements on said works, and to provide new supply-pipes; all hydrants established by the city shall be constructed, and all repairs upon such hydrants made, and the streets, if broken up, again put in good order, to the satisfaction of the Superintendent of Streets, by and under the direction of the Water Board. The Board shall have no power to expend any money, or to incur any debt, beyond the amount of appropriations made by the City Council.

Superintendent.

SECT. 9. The Superintendent of the Water Works shall be a resident of Cambridge, and shall take charge of the aqueduct, lands, reservoirs, and other works and

property connected with the Water Works, as the Water Board may from time to time direct; and he shall perform all such services in relation thereto as may be required of him by said Board, and shall, annually, during the first week of December, present to the Water Board a report of the general condition of the works.

SECT. 10. The Water Board shall elect a Water Registrar, who shall hold office during the pleasure of the Board, and shall receive such compensation as the Board may determine. He shall give bonds in the sum of five thousand dollars for the faithful performance of his duties. Water Registrar.

SECT. 11. The Water Registrar shall perform all such services as may be required of him by said Board. He shall annually — during the first week of December — present to the Water Board a detailed statement of all receipts and expenditures in his department for the year ending November thirtieth; a statement of the number of water-takers; the number of cases in which the water has been cut off; the number and amount of abatements; and such other matters as he or the Board may deem expedient. His duties.

SECT. 12. The Water Board shall determine and assess the water-rates according to the tariff of rates adopted by the City Council; and the Water Registrar, under the direction of the Board, shall visit or cause to be visited, once in each year, the premises of every person who takes the water, shall make out, distribute, and collect all bills, or shall cause the same to be done, and shall exercise a constant supervision over the use of the water. as- Water-rates.

SECT. 13. All moneys received on account of the Water Works shall be paid weekly, or oftener, into the City Treasury, and a receipt taken for the same; and Receipts.

all moneys paid into the Treasury on account of said works shall be placed to the credit of the Water Works, and shall not be paid out except under the provisions of section sixth, and of this section. The Mayor may draw his draft for all sums of money becoming due for interest on the Cambridge Water Loan, and the amounts so paid shall be charged to the Water Works. The Treasurer shall, annually, on the thirtieth day of June, credit to the Water Works interest on so much of the money credited to said works as has been used by the city during the previous year, and the balance of the account on that day shall be paid over to the Trustees of the sinking fund, provided in the aforesaid act.

Interest.

Water-rates,
when to be
paid.

SECT. 14. The annual rent for the use of the water shall be payable in advance on the first day of July in each year. All charges for specific supplies, or for fractional parts of the year, shall be payable in advance and before the water is let on.

Non-pay-
ment.

SECT. 15. In all cases of non-payment of the water-rent in thirty days after the same is due, the Water Registrar shall cut off the supply; and the water shall not again be let on, except upon the payment of the sum of two dollars, and not for the same occupant or owner, except upon the payment also of the whole amount due: *Provided*, that in case of specific supplies or for fractional parts of the year, when the water has been let on, it may be cut off immediately after notice given at the place that the rent is not paid, and may be let on again upon the conditions before mentioned. And the foregoing provisions shall apply when two or more parties take the water through the same service pipes, although one or more may have paid the proportion due from him or them.

Abatements.

SECT. 16. The Water Registrar, under the direction of the Water Board, may make abatements in the water-rents in all proper cases.

SECT. 17. The Water Registrar shall keep suitable Records. books in which shall be entered the names of all persons who take the water, the kind of building, the name and number of the street, the nature of the use, the number of takers, and the amount charged, and amounts of abatements, which shall always be open to the inspection of the Water Board, and any Committee of the City Council.

SECT. 18. No member of the Water Board, and no Water Board not to be interested, etc. person appointed to any office or employed by virtue of this ordinance, or of the acts of the Legislature mentioned in the first section, shall be interested, directly or indirectly, in any contract, bargain, sale, or agreement, in relation to the Water Works, or any matter or thing connected therewith, wherein the city is interested; and any and all contracts, bargains, sales, or agreements, made in violation of this section, shall be utterly void as to the city.

SECT. 19. No person shall injure any public pipe Injury to Works. or reservoir connected with the Water Works, or shall break and enter the same, or draw off, or cause to be removed, any of the water therefrom; or shall turn on or off the water in any such water-pipe or reservoir, or shall make any opening or connection with such pipe or reservoir, or remove the cover of any hydrant, except in case of fire, without the license or permit of the Water Board, or by authority of the Mayor and Aldermen.

SECT. 20. The following regulations shall be consid- Regulations. ered a part of the contract with every person who takes the water; and every such person, by taking the water, shall be considered to express his consent to be bound thereby. They shall be printed upon every bill for water-rent, and whenever any one of them is violated (although two or more parties may receive

the water through the same pipe), the water shall be cut off, and shall not be let on again, except by the order of the Water Board, and on the payment of two dollars; and in case of any such violation, the said Board shall have the right to declare any payment made for the water, by the person committing such violation, to be forfeited, and the same shall thereupon be forfeited.

The said regulations are as follows :—

1. All persons taking the water shall keep the service-pipes within their premises in good repair and protected from frost, at their own expense, and they will be held liable for all damage which may result from their failure to do so.

2. They shall prevent all unnecessary waste of water, and there shall be no concealment of the purposes for which it is used.

3. No alteration shall be made in any of the pipes or fixtures inserted by the city, except by its agents, who are to be allowed to enter the premises supplied, to examine the apparatus, and to ascertain whether there is any unnecessary waste, and no alteration or extension of the pipes in the house shall be made without notice to the Water Registrar.

4. No water is allowed to be supplied to parties not entitled to the use of it under the city ordinances, unless by special permission.

5. The Water Registrar, with the necessary agents and assistants, may enter the premises of any water-taker to examine the quantity used, and the manner of use, and to cut off the water for non-payment of rents or fines, or any violation of the foregoing rules.

Waste of
water.

SECT. 21. The occupant of any premises, when an unnecessary waste of water occurs, shall be liable to a fine of two dollars for the first offence, and four dollars

for the second offence during the same year, and shall be notified thereof in writing, and if such waste shall not be prevented and the fine aforesaid paid within two days from the time when said notice is given, the water shall be cut off from the said premises, and shall not be again let on for the same occupant until the waste be stopped and the fine paid, together with an additional sum of two dollars for cutting off and letting on the water; and in case of a third or subsequent offence, the water shall be cut off and shall not again be let on except by a vote of the Board and the payment of such fine, not exceeding ten dollars, as said Board may impose.

SECT. 22. The Water Board shall have power to es-
Pipes and
 fixtures.
 tablish such regulations as they may deem expedient for the introduction and use of water; and the water shall not be supplied to any building unless the pipes and fixtures shall be made conformable to the said regulations.

SECT. 23. The following rates shall be charged an-
Rates.
 nually for the use of the water, from and after the first day of July, in the year eighteen hundred and seventy, namely:—

DWELLING-HOUSES.

	PER YEAR.
Occupied by one family, for the first faucet	\$7.00
For each additional faucet, to be used by the same family . .	2.50
Where a house is occupied by more than one family and less than four, — one faucet only being used by all, — for each family	5.00
Where a house is occupied by four or more families, and but one faucet is used by all, for each family	4.50
Where a house is occupied by more than one family, the highest rates will be charged for each family having the water carried into their part of the house.	
For the first bath-tub	6.00
When used by more than one family, for each family . .	4.00

ORDINANCES OF THE

	PER YEAR.
For each additional bath-tub	\$4.00
The first pan or hopper water-closet with self-regulating faucet	6.00
When used by more than one family, for each family	4.00
Each additional pan or hopper water-closet with self-regulating faucet	2.00
Each hopper water-closet without self-regulating faucet	10.00
When used by more than one family, for each family	8.00
Each slop-closet	3.00
Where two faucets are used, one for hot and one for cold water, both emptying into one vessel, but one charge will be made for both, and the same rule applies to boarding-houses :	
<i>Provided</i> , that in no case shall the charge for the use of water by a private family, exclusive of hopper water-closet without self-regulating faucet, hose and stable, be more than	
	22.00
And including stable for not more than four animals, than	30.00
And including use of hose for stable for not more than four animals, and for garden not exceeding five thousand feet	35.00

BOARDING-HOUSES.

For the first faucet	10.00
Each additional faucet	3.00
For pan or hopper water-closet with self-regulating faucet	10.00
Each additional pan or hopper water-closet with self-regulating faucet	3.00
Hopper water-closets without self-regulating faucet, each	15.00
Each slop-closet	4.00
Bath-tub, when used by boarders	10.00

STORES, ETC.

For each tenement occupied as a store, warehouse, or office	4.00
Where two or more such tenements are supplied from the same faucet, each	3.00
For markets, saloons, workshops, or for purposes not included in any other classification, and not requiring more than an ordinary supply of water taken from one faucet, from	6.00 to 25.00
For pan or hopper water-closet with self-regulating faucet, or urinal used by the occupants of one tenement only	5.00

	PER YEAR.
When used by occupant of more than one tenement, for each	\$3.00
For hopper water-closet for single tenement	10.00
Each slop-closet	1.50
For hopper water-closet used by occupant of more than one tenement, for each	6.00
For each additional faucet one half the above charges shall be added.	

PRIVATE STABLES.

For first horse	5.00
Each additional horse	3.00
Each cow	2.00

LIVERY, CLUB, AND BOARDING-STABLES.

For not exceeding five horses, the same as private stables.	
For each additional horse	2.50

CAR AND OMNIBUS STABLES.

For not exceeding five horses, the same as private stables.	
For each additional horse	2.00

TRUCK AND CART STABLES.

For each horse, if more than three	2.00
The above includes water for washing carriages, omnibuses, and cars, without hose.	
No stable less than	5.00
Where hose is used in any stable, an addition to the above charges will be made of five dollars for the first horse, and fifty cents for each additional horse.	

HOSE.

For washing windows and other similar uses, including watering gardens of less than five thousand feet	6.00
For the above purposes and for private stable	10.00
For other cases arrangements can be made with the Water Board.	

HOTELS.

For each bed for boarders and lodgers	3.50
Or special arrangements may be made with the Water Board.	

BATHS.

	PER YEAR.
For public baths and for each bath in any hotel . . .	\$10.00
Water-closets in public bath-houses	10.00

STEAM-ENGINES.

For each engine working not over twelve hours a day, for each horse-power	6.00
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BUILDING PURPOSES.

For every cask of lime or cement used, six cents.

For all purposes not enumerated in the foregoing rates, three cents for each one hundred gallons used shall be charged, the quantity to be ascertained by meter. The Water Board shall have power to ascertain by meter the quantity used in any case; and in any case where the quantity used averages not less than five hundred gallons per day, a meter shall be applied if the proprietor or occupant request it; and the charge for the water used shall be at the rate of three cents for each one hundred gallons.

The Water Board shall have power to establish such regulations as they may deem expedient, for the construction of water-closets hereafter; and the water shall not be supplied to any building, unless the said water-closets shall be made conformable to the said regulations.

Use of water
by the city.

SECT. 24. For water used by the city an account shall be made and the amount thereof shall be charged to the proper appropriations and credited to the Water Works.

Police to re-
port waste,
etc.

SECT. 25. It shall be the duty of the Police of the city to report to the Mayor all cases of leakage, waste, or unnecessary profusion in the use of the water, and all violations of the water ordinances, that may be brought to their notice.

CHAPTER XXX.

WATERING STREETS.

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|--|-------------------------|
| 1. Appropriation for watering streets. | 3. Making of Contracts. |
| 2. Sum to be paid. | |

SECT. 1. Whenever any appropriation of money shall have been made by the City Council for watering streets, no part of said appropriation shall be expended except by order of the Committee on Watering Streets, and upon a warrant drawn by the Mayor upon the City Treasurer, and duly countersigned by the Auditor.

SECT. 2. No greater sum shall be paid for watering any street than the amount actually paid to the Committee by persons residing on said street.

SECT. 3. The Committee on Watering Streets shall contract with some suitable person or persons, for watering any street or streets, when an amount equal to one half the expense thereof shall first have been subscribed and paid into the hands of the chairman of said committee; but no money shall be paid from said appropriation for any watering not done in pursuance of a contract so made.

CHAPTER XXXI.

WORKHOUSE.

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| 1. Workhouse established, for employment and support of the poor, etc. | 2. Almshouse to be the Workhouse. Overseers of the Poor to be Directors. |
|--|--|

SECT. 1. There shall be established in the City of Cambridge a Workhouse for the employment and support of the poor.

ment and
support of
the poor, etc.

port of the following description of persons, that is to say, all poor and indigent persons that are maintained by, or receive alms from the city; all persons who, being able of body to work, and not having estate or means otherwise to maintain themselves, refuse or neglect to work; all persons who live a dissolute, vagrant life, and exercise no ordinary calling or lawful business; and all persons who spend their time and property in public houses, to the neglect of their proper business, or who, by otherwise misspending what they earn, to the impoverishment of themselves, are likely to become chargeable to the city or to the Commonwealth.

Almshouse
to be the
Workhouse.

Overseers of
the Poor to
be Directors.

SECT. 2. The present Almshouse is hereby constituted the Workhouse of the city, as set forth in the first section of this chapter, and the Overseers of the Poor shall be the Directors of said Workhouse.

CHAPTER XXXII.

GENERAL PROVISIONS.

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| 1. Mayor and Aldermen to grant licenses, etc. | 4. Penalties. |
| 2. What is prohibited without license may be licensed. | 5. Former ordinances repealed. Effect of repeal. |
| 3. Effect of repeal. | 6. When to take effect. |

Mayor and
Aldermen to
grant
licenses.

SECT. 1. When no other provision is made by virtue of this ordinance, or any law of the Commonwealth, the Mayor and Aldermen may grant licenses upon such terms and under such restrictions as they may prescribe, and revoke the same at pleasure.

May revoke
the same.

What is pro-
hibited with-
out license
may be
licensed.

SECT. 2. Whenever in this ordinance, or in any ordinance hereafter passed, anything is prohibited to be done without the permission or license of any officer,

officers, or board, such officer, officers, or board shall have the power to permit or license such thing to be done.

SECT. 3. When any ordinance repealing a former ordinance, clause, or provision, shall be itself repealed, such repeal shall not be construed to revive such former ordinance, clause, or provision, unless it shall be therein so expressly provided. Effect of repeal.

SECT. 4. Whoever violates any ordinance of the City of Cambridge, shall, unless where different provision is made by such ordinance, or by the laws of the Commonwealth, forfeit and pay to the use of said city, a sum not exceeding twenty dollars. Penalties.

SECT. 5. All ordinances heretofore passed by the City Council of the City of Cambridge are hereby repealed; but such repeal shall not affect any act done, any right accruing, accrued, or established, the tenure of office of any person holding office at the time it takes effect, or any forfeiture or penalty heretofore incurred. Former ordinances repealed. Effect of repeal.

SECT. 6. This ordinance shall take effect upon its passage. When to take effect.

JOINT RULES AND ORDERS

OF THE

CITY COUNCIL.

SECT. 1. All by-laws passed by the City Council shall be termed Ordinances; and the enacting style shall be, "Be it ordained by the City Council of the City of Cambridge."

SECT. 2. In all votes, by which either or both branches of the City Council shall express anything by way of command, the form of expression shall be "Ordered;" and whenever either or both branches shall express opinions, principles, facts, or purposes, the form shall be "Resolved."

SECT. 3. At the commencement of each municipal year, the following Joint Standing Committees shall be appointed, or chosen by ballot, to wit:—

1. A Committee on Finance; to consist of the Mayor and two members of the Board of Aldermen, the President and five members of the Common Council.
2. A Committee on Public Instruction; to consist of two members of the Board of Aldermen, the President and three members of the Common Council.
3. A Committee on Ordinances; to consist of two members of the Board of Aldermen, and three members of the Common Council.

4. A Committee on Accounts ; to consist of two members of the Board of Aldermen, and three members of the Common Council.
5. A Committee on Public Property ; to consist of two members of the Board of Aldermen, and three members of the Common Council.
6. A Committee on the Almshouse ; to consist of two members of the Board of Aldermen, and three members of the Common Council.
7. A Committee on Roads and Bridges ; to consist of two members of the Board of Aldermen, and three members of the Common Council.
8. A Committee on Reservoirs and Drains ; to consist of two members of the Board of Aldermen, and three members of the Common Council.
9. A Committee on Fuel ; to consist of two members of the Board of Aldermen, and three members of the Common Council.
10. A Committee on Lamps ; to consist of two members of the Board of Aldermen, and three members of the Common Council.
11. A Committee on Watering Streets ; to consist of two members of the Board of Aldermen, and three members of the Common Council.
12. A Committee on Printing ; to consist of one member of the Board of Aldermen, and two members of the Common Council.
13. A Committee on the Fire Department ; to consist of two members of the Board of Aldermen, and three members of the Common Council.
14. A Committee on City Engineering ; to consist of two members of the Board of Aldermen, and three members of the Common Council.

SECT. 4. The Mayor shall be *ex officio* chairman of any joint committee of which he is a member.

SECT. 5. The members of the Board of Aldermen and Common Council, who shall constitute the joint standing committees, shall be chosen or appointed by their respective boards ; and the member of the Board of Aldermen first named on every joint committee, of which the Mayor is not a member, shall be its chairman ; and in case of his resignation or inability, the member of the same board next in order, and after him the member of the Common Council first in order, shall be its chairman.

SECT. 6. The Joint Standing Committees on Finance and on Accounts shall cause a record to be kept of all their proceedings, in books to be provided for that purpose by the city.

SECT. 7. Every joint committee, to whom any subject may be referred, shall report thereon within four weeks, or ask for further time.

SECT. 8. All reports, and other papers submitted to the City Council, shall be written in a fair hand ; and no report or indorsement of any kind shall be made on the reports, memorials, or other papers referred to the joint committees, or committees of either branch. And the Clerk shall make copies of any papers to be reported by committees, at the request of the respective chairmen thereof.

SECT. 9. No chairman of any committee shall audit or approve any bill or account against the city, for any supplies or services which shall not have been ordered or authorized by the committee.

SECT. 10. The reports of all committees, whether by ordinance, resolve, or otherwise, shall be made to the board in which the business referred originated ; and no report shall be received unless agreed to in committee actually assembled.

SECT. 11. In every case of amendment of an ordi-

nance or joint resolution, agreed to in one board and dissented from by the other, a conference may be had at the request of either; and the committees, appointed by the respective boards for the purpose, shall meet as soon as convenient, and state to each other the reasons of their respective boards for and against the amendment, confer freely thereon, and report to their respective boards.

SECT. 12. When either board shall not concur in any ordinance sent from the other, notice thereof shall be given by written message.

SECT. 13. Either board may propose to the other for its concurrence a time to which both boards will adjourn.

SECT. 14. All messages between the two boards shall be reduced to writing by their respective clerks, and may be transmitted by them or by the Messenger.

SECT. 15. Each board shall transmit to the other all papers on which any ordinance or joint resolution shall be founded; and all papers on their passage between the two boards may be under the signature of their respective clerks, except ordinances and joint resolutions in their last stage, which shall be signed by their presiding officers.

SECT. 16. After the annual appropriations shall have been passed, no subsequent expenditure shall be authorized for any purpose, unless provision for the same shall be made by specific transfer from some of the appropriations contained in the annual order, or by creating therefor expressly a city debt; but no such debt shall be created, unless the order authorizing the same shall pass by the votes of two thirds of the whole number of each branch of the City Council, voting by yea and nay.

SECT. 17. In all contracts or expenditures to be

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made under the authority of the City Council, whenever the estimates shall exceed the appropriation specially made therefor, it shall be the duty of the committee having such subject in charge to submit the same to the City Council for instructions, before such contract is made and signed, or any expenditure for the object is incurred.

RULES AND ORDERS

OF THE

BOARD OF ALDERMEN.

SECT. 1. At all meetings of the Board, six members, or the Mayor and five Aldermen, shall constitute a quorum for the transaction of business.

Duties and Powers of the Chair.

SECT. 2. The Mayor shall take the chair at the hour to which the Board may have adjourned, and shall call the members to order, and, a quorum being present, shall cause the minutes of the preceding meeting to be read; and in the absence of the Mayor, a chairman *pro tempore* shall be chosen.

SECT. 3. He shall preserve decorum and order; may speak to points of order in preference to other members; shall decide all questions of order, subject to an appeal to the Board by motion regularly seconded; and no other business shall be in order till the question on the appeal has been decided.

SECT. 4. He shall declare all votes; but if any member doubt the vote, the Chair, without further debate upon the question, shall require the members voting in the affirmative and negative respectively to rise and stand until they are counted, and he shall declare the result; but no such declaration shall be made unless a quorum of the Board has voted.

SECT. 5. When the Mayor shall desire to vacate the chair, he may call any member to it; but such substitution shall not continue beyond an adjournment.

SECT. 6. When a motion is made to take a question by yeas and nays, the Chair shall take the sense of the Board in that manner, if *three* members present so require.

SECT. 7. The Chair shall propound all questions in the order in which they are moved, unless the subsequent motion shall be previous in its nature, except that, in naming sums and fixing times, the largest sum and the longest time shall be first put; and when a motion is made to refer any subject, and different committees are proposed, the question shall be taken in the following order: —

1. To a Standing Committee of the Board;
2. To a Select Committee of the Board;
3. To a Joint Standing Committee;
4. To a Joint Select Committee.

SECT. 8. After a motion is stated or read by the Chair, it shall be deemed to be in possession of the Board, and shall be disposed of by vote; but the mover may withdraw it at any time before a decision or amendment, by unanimous consent.

SECT. 9. When a question is under debate, the Chair shall receive no motion, but, —

1. To adjourn;
2. To lay on the table;
3. For the previous question;
4. To postpone indefinitely;
5. To postpone to a day certain;
6. To commit or to amend;

which several motions shall have precedence in the order in which they stand arranged; and a motion to strike out the enacting clause of an ordinance shall be equivalent to a motion to postpone indefinitely.

SECT. 10. He shall put the previous question in the following form: "Shall the main question be now put?"—and all further amendments or debate of the main question shall be suspended, until the previous question be decided.

SECT. 11. When two or more members rise at the same time, the Chair shall name the member who is first to speak.

Rights and Duties of Members.

SECT. 12. Every member, when about to speak, shall rise and respectfully address the Chair; shall confine himself to the question under debate, and avoid personalities.

SECT. 13. No member speaking shall be interrupted by another, but by rising to a call to order or for explanation.

SECT. 14. No member shall be permitted to vote on any question, or serve on any committee, where his private interest is immediately concerned, distinct from that of the public.

SECT. 15. Every member who shall be in the Board when a question is put *shall vote*, unless the Board for special reasons excuse him.

SECT. 16. A question having been taken, it shall be in order for any member voting with the majority to move a reconsideration thereof, at the same meeting, or at the next succeeding meeting, provided the subject of the vote shall not have passed out of the custody of the Board; but no more than one motion for the reconsideration of any vote shall be entertained.

Order of Business.

SECT. 17. At every regular meeting of this Board the order of business shall be as follows:—

1. Communications from His Honor the Mayor.
2. Papers from the Common Council.
3. Presentation of Petitions, Memorials, and Remonstrances.
4. Communications and Reports from City Officers.
5. Reports of Committees.
6. Unfinished business of preceding meetings.
7. Motions, Orders, or Resolutions.
8. Approval of Bills.

And the above order of business shall not be departed from, except by vote of a majority of the members of the Board present.

SECT. 18. The seats of the members of the Board shall be numbered, and determined by lot; and no member shall change his seat but by permission of the Chair.

Of Communications and Committees.

SECT. 19. All petitions, memorials, or remonstrances addressed to the Board shall be presented by the Chair, or by a member in his place, who shall explain the subject thereof; and they shall lie on the table, to be taken up in the order in which they are presented, unless the Board shall otherwise direct.

SECT. 20. All petitions for appointments that are made upon nomination of the Mayor and confirmation by the Board, shall, when received, be referred to the Mayor without debate.

SECT. 21. No petition for a license to move a building through any public street, square, or place in the city shall be acted on, until the petitioner shall have filed with the City Clerk a certificate in writing signed by one of the Aldermen of the ward in which the building is situated, giving the dimensions of the building, the names of the streets, squares, or places through

which it is proposed to be moved, and the opinion of the Alderman signing the certificate as to the possibility of the proposed removal being made without injury to public or private property.

SECT. 22. There shall be appointed standing committees of the Board as follows:—

1. A Committee on Police; to consist of the Mayor and three Aldermen.

2. A Committee on the Fire Department; to consist of three Aldermen.

3. A Committee on Roads and Bridges; to consist of three Aldermen.

4. A Committee on Reservoirs and Drains; to consist of three Aldermen.

5. A Committee on Licenses; to consist of three Aldermen.

6. A Committee on Health; to consist of three Aldermen.

SECT. 23. It shall be the duty of every committee of the Board, to which any subject may be referred, to report thereon within four weeks from the time that said subject is referred to it, or ask for further time.

Ordinances, Orders, etc.

SECT. 24. All ordinances and resolutions shall have two several readings, before they shall be finally passed by the Board; and after being read a second time, the question shall be on passing the same to be enrolled; and no enrolled ordinance or resolution shall be amended except by unanimous consent.

SECT. 25. All orders and resolutions authorizing the levying of a tax or the expending of money shall have two several readings before they shall be finally passed; and no ordinance, order, or resolution imposing penalties, or authorizing the expenditure of money, whether

the same may have been appropriated or not, and no order or resolution authorizing a loan, shall have more than one reading on the same day: *provided, however*, that nothing herein contained shall prevent the passage of an order at any meeting of the Board to authorize the printing of any document relating to the affairs of the city.

Duties of the Clerk.

SECT. 26. In the absence of the Mayor, the Clerk, and in his absence, the senior member present, shall call the Board to order, and preside until a Chairman shall be chosen.

SECT. 27. The Clerk shall attend and keep the records of all meetings of the Board, and shall have the care and custody of the city records, and of all documents, maps, plans, and papers, respecting the care and custody of which no other provision is made.

SECT. 28. None of the foregoing rules and orders shall be suspended, amended, or repealed at any meeting, unless two thirds of the members present consent thereto.

RULES AND ORDERS

OF THE

COMMON COUNCIL.

Rights and Duties of the President.

SECT. 1. The President shall take the chair precisely at the hour to which the council may have adjourned, shall call the members to order, and, a quorum being present, shall cause the minutes of the preceding meeting to be read, and proceed to business.

SECT. 2. He shall preserve decorum and order; may speak to points of order in preference to other members, and shall decide all questions of order, subject to an appeal to the Council, on motion of any member, regularly seconded; and no other business shall be in order until the question on the appeal shall be decided.

SECT. 3. He shall declare all votes; but if any member doubt the vote, the President, without further debate upon the question, shall require the members voting in the affirmative and negative to rise and stand until they are counted, and he shall declare the result; but no decision shall be declared unless a quorum of the Council shall have voted.

SECT. 4. He shall rise to address the Council, or to put a question, but may sit while reading.

SECT. 5. The President may call any member to the chair, but such substitution shall not continue longer

than one meeting. When the Council shall determine to go into committee of the whole, the President shall appoint the member who shall take the chair. The President may express his opinion on any subject under debate; but in such case he shall leave the chair and appoint some other member to take it, and shall not resume the chair while the question is pending, provided the same is taken before an adjournment. But the President may state facts, and give his opinion on questions of order without leaving his place.

SECT. 6. When a motion is made to take a question by yeas and nays, the President shall take the sense of the Council in that manner, provided *one third* of the members present are in favor of it.

SECT. 7. He shall propound all questions in the order in which they are moved, unless the subsequent motion shall be previous in its nature; except that, in naming sums and fixing times, the largest sum and the longest time shall be put first.

SECT. 8. After a motion is seconded, and stated by the President, it shall be disposed of by vote of the Council, unless the mover withdraw it before a decision or amendment.

SECT. 9. When a question is under debate, the President shall receive no motion, except to adjourn, to lay on the table, for the previous question, to postpone to a day certain, to commit, to amend, or to postpone indefinitely; which several motions shall have precedence in the order in which they stand arranged; and a motion to strike out the enacting clause of an ordinance shall be equivalent to a motion to postpone indefinitely.

SECT. 10. The President shall consider a motion to adjourn as always in order, unless a member has possession of the floor, or any question has been put and not decided; and it shall be decided without debate.

SECT. 11. He shall put the previous question in the following form: "Shall the main question be now put?" — and all further amendments or debate of the main question shall be suspended, until the previous question be decided.

SECT. 12. When two or more members rise at the same time, the President shall name the member who is first to speak.

SECT. 13. In the formation of the Standing Committees, the sense of the Council shall be taken, as to whether the same shall be appointed by the President, or selected by ballot. All Special Committees shall be appointed by the President, unless otherwise ordered by the Council.

SECT. 14. In all cases the President may vote.

Rights and Duties of Members.

SECT. 15. When any member is about to speak in debate, or deliver any matter to the Council, he shall rise in his place and respectfully address the presiding officer; shall confine himself to the question under debate, and avoid personality; and shall sit down as soon as he has done speaking.

SECT. 16. No member, in debate, shall mention another member by his name; but may designate him by the ward he represents, the place he sits in, or such other reference as may be intelligible and respectful.

SECT. 17. No member speaking shall be interrupted by another, except by his rising to call to order, or to correct a mistake. But if a member, in speaking or otherwise, transgress the rules of the Council, any member *may* call him to order; in which case, the member so called to order shall immediately sit down, unless permitted to explain; and the Council, if appealed to, shall decide on the case without debate.

SECT. 18. When any member shall violate any of the rules and orders of the Council, and the Council shall have determined that he has so transgressed, he shall not be allowed to speak, unless by way of excuse for the same, until he has made satisfaction.

SECT. 19. No member shall speak more than twice to the same question, without first obtaining leave of the Council; nor more than once, until all other members choosing to speak shall have spoken.

SECT. 20. Every motion shall be reduced to writing, if the President direct, or any member of the Council request it; and no member shall be permitted to submit a motion in writing, until he has read the same in his place, and it has been seconded.

SECT. 21. When a vote has been passed, it shall be in order, if the question has been taken by yeas and nays, for any member voting with the majority, or, if not taken by yeas and nays, for any member, to move a reconsideration thereof, at the same meeting, or at the next succeeding meeting if the papers are then in possession of the Council, but not afterwards; and if such motion is seconded, it shall be open to debate, and be disposed of by the Council. But no more than one motion for the reconsideration of any vote shall be permitted.

SECT. 22. No member shall be permitted to stand up, to the interruption of another, whilst any member is speaking; or to pass unnecessarily between the President and the person speaking.

SECT. 23. No member shall be obliged to be on more than two committees at the same time, nor to be chairman of more than one.

SECT. 24. No member shall be permitted to vote on any question, or serve on any committee, where his private interest is immediately concerned, distinct from that of the public.

SECT. 25. Every member who shall be in the Council when a question is put, if he is not excluded by interest, shall vote, unless the Council for special reasons excuse him.

SECT. 26. On the "previous question," no member shall speak more than once without leave.

SECT. 27. Any member may call for the division of a question, when the sense will admit of it. A motion to strike out and insert shall be deemed indivisible; but a motion to strike out, being lost, shall not preclude amendment, or a motion to strike out and insert.

SECT. 28. When the reading of a paper is called for, and the same is objected to by any member, it shall be determined by a vote of the Council.

SECT. 29. At every regular meeting of the Council, the order of business shall be as follows:—

1. Papers from the Board of Aldermen.
2. Communications and Reports from City Officers, presentation of Petitions, Remonstrances, and Memorials.
3. Reports of Committees.
4. Unfinished business of preceding meetings.
5. Motions, Orders, or Resolutions.

SECT. 30. The seats of the members of the Council shall be numbered, and determined by lot; and no member shall change his seat without permission of the President.

SECT. 31. Every member shall take notice of the day and hour to which the Council may stand adjourned, and shall give his punctual attendance accordingly. And no member shall leave his seat whilst the President is announcing adjournment.

SECT. 32. No standing rule or order of the Council shall be suspended, unless *three fourths* of the members present shall consent thereto; nor shall any rule

or order be repealed or amended without one day's notice being given of the motion therefor, nor unless a majority of the whole Council shall concur therein.

Of Communications, Committees, and Reports.

SECT. 33. All memorials and other papers addressed to the Council shall be presented by the President, or by a member in his place, who shall explain the subject thereof, and they shall lie on the table, to be taken up in the order in which they are presented, unless the Council shall otherwise direct.

SECT. 34. Standing Committees of the Council shall be appointed or elected on the following subjects, namely: on Elections and Returns, on Bills in the Second Reading, and on Enrolled Ordinances, each to consist of three members.

SECT. 35. No committee shall sit during the sessions of the Council, without special leave.

SECT. 36. The rules of proceeding in Council shall be observed in committee of the whole, so far as they may be applicable, excepting the rule limiting the times of speaking; but no member shall speak twice to any question, until every member choosing to speak shall have spoken.

SECT. 37. Of all committees of the Council, chosen by ballot, or appointed by the President, the person first named shall be chairman; and in case of the absence of the chairman, the committee shall have power to appoint a chairman *pro tem*.

SECT. 38. All messages to the Mayor and Aldermen shall be drawn up by the Clerk, and may be transmitted by him or the Messenger.

SECT. 39. All salaried officers shall be voted for by written ballot.

Elections, etc.

SECT. 40. In all elections by ballot, on the part of the Council, blanks and ballots for all ineligible persons shall be reported to the Council, but shall not be counted in the returns, except in cases where the Council has only a negative upon nominations made by the Mayor and Aldermen.

Powers and Duties of Committees, etc.

SECT. 41. All special committees of the Council shall consist of three members, unless a different number be ordered. And no report shall be received from any committee, unless agreed to in committee actually assembled; and all reports shall be made in writing.

SECT. 42. It shall be the duty of all standing committees of the Council — except the Committees on Bills in the Second Reading and on Enrolled Ordinances — to keep records of their doings, in books provided for that purpose.

SECT. 43. It shall be the duty of every committee of the Council, to whom any subject may be specially referred, to report thereon within four weeks from the time that said subject is referred to them, or ask for further time.

Ordinances, Orders, etc.

SECT. 44. All ordinances, and all orders or resolutions imposing penalties, or relating to the raising or appropriating of money, or authorizing a loan, or the expenditure of money, whether the same may have been appropriated or not, shall have two several readings before their final passage by the Council. But no ordinance, and no such order or resolution, shall have more than one reading at the same meeting: *provided, however*, that nothing herein contained shall

prevent the passage of an order, at any meeting of the Council, to authorize the printing of any document relating to any question before the Council.

SECT. 45. All ordinances, before being read a second time, shall be referred to the Committee on Bills in the Second Reading, and, after being reported upon by said committee, shall be again read ; after which, the question shall be on passing the same to be enrolled.

SECT. 46. All ordinances as soon as may be, shall be enrolled by the Clerk, and the Committee on Enrolled Ordinances shall forthwith examine the same, and certify on the back thereof that they are correctly enrolled ; after which the question shall be on passing the same to be ordained.

Duties of the Clerk.

SECT. 47. In the absence of the President, the Clerk, and in his absence, the senior member present, shall call the Council to order, and preside until a President *pro tem.* shall be chosen by ballot ; and if no election is effected on the first trial, the Council shall proceed to a second ballot, in which a plurality of votes shall prevail.

SECT. 48. The Clerk shall keep brief minutes of the votes and proceedings of the Council, entering thereon all accepted orders and resolutions ; shall notice reports, memorials, and other papers submitted to the Council, only by their titles, or a brief description of their purport ; and all accepted reports shall be entered at length in a separate journal, to be kept for that purpose, and provided with an index.

SECT. 49. It shall be the duty of the Clerk to furnish the chairman of every committee with the names of the members composing the same, provide all necessary books for the committees, attend their meetings,

keep records of their proceedings, and make reports when required to do so.

SECT. 50. It shall be the duty of the Clerk to send up to the Board of Aldermen all ordinances, orders, and resolutions passed by the Council, which are to be acted upon by that Board, — together with all papers in relation thereto, — before the next meeting of the Board of Aldermen : *provided, however*, that any ordinance, order, or resolution shall be retained by him, together with the accompanying papers, until the next meeting of the Council, upon receiving a written request to that effect from any member of the Council entitled to move a reconsideration of the vote thereupon, with notice that he intends to make such motion at the said meeting.

APPENDIX.

ORDINANCES PASSED SINCE THE FOREGOING REVISION OF THE CITY ORDINANCES WAS MADE.

CITY OF CAMBRIDGE.

IN THE YEAR ONE THOUSAND EIGHT HUNDRED AND SEVENTY-ONE.

AN ORDINANCE CREATING THE OFFICE OF CLERK OF COMMITTEES.

Be it ordained by the City Council of Cambridge, as follows:—

SECT. 1. Annually, on the first Monday of January, or within thirty days thereafter, there shall be elected by concurrent vote of the two branches of the City Council, a clerk of all committees, standing or special, of either branch and of both branches of the City Council, not otherwise provided for by ordinance or order, who shall receive such compensation as the City Council shall from time to time determine, and hold office one year from the first Monday in the April following his election. He may be removed and his place for the unexpired term filled at the pleasure of the City Council.

SECT. 2. He shall make a proper record in books kept for the purpose of all proceedings and transactions, and keep a calendar of all meetings of the committees of which he is clerk, and, when requested by the chairman, notify the members thereof. He shall perform such other duties and services in making estimates and computations, drawing orders and reports, and rendering assistance, as such committees shall from time to time require.

SECT. 3. A Clerk of Committees shall be forthwith elected as, and

with the duties, herein before prescribed, who shall hold office until the first Monday of April, eighteen hundred and seventy-two.

IN COMMON COUNCIL, *December 13, 1871.*

Passed to be ordained.

JOSEPH H. CONVERSE,
President Common Council.

IN BOARD OF ALDERMEN, *December 13, 1871.*

Passed to be ordained.

HAMLIN R. HARDING, *Mayor.*

CITY OF CAMBRIDGE.

IN THE YEAR ONE THOUSAND EIGHT HUNDRED AND SEVENTY-ONE.

AN ORDINANCE IN RELATION TO PROTECTION FROM FIRE.

Be it ordained by the City Council of the City of Cambridge, as follows:—

SECT. 1. The Board of Aldermen, upon its knowledge by complaint or otherwise, and view of any defective or dangerous chimney, or fire-place in the city, shall provide that the same be examined and inspected, and when it shall deem that the safety of the city so requires, shall order the same to be forthwith repaired, or taken down and demolished.

SECT. 2. If the owner of any such chimney or fire-place, after having received, or had left at his residence, or place of business, a copy of an order of the Board of Aldermen, attested by the Clerk, to repair or take down the same, fails to do so, he shall be liable to a fine of twenty dollars.

SECT. 3. The Board of Aldermen may cause such chimney or fire-place to be taken down, and abated as a common nuisance at the expense of the owner thereof.

IN COMMON COUNCIL, *December 27, 1871.*

Passed to be ordained.

JOSEPH H. CONVERSE,
President Common Council.

IN BOARD OF ALDERMEN, *December 27, 1871.*

Passed to be ordained.

HAMLIN R. HARDING, *Mayor.*

CITY OF CAMBRIDGE.

IN THE YEAR ONE THOUSAND EIGHT HUNDRED AND SEVENTY-ONE.

AN ORDINANCE IN RELATION TO THE FIRE DEPARTMENT.

Be it ordained by the City Council of the City of Cambridge, as follows : —

Each Hook and Ladder Company appointed by the Mayor and Aldermen, shall consist of twenty-one men, and shall have a Foreman, Assistant Foreman, Driver, and eighteen men.

IN COMMON COUNCIL, December 27, 1871.

Passed to be ordained.

JOSEPH H. CONVERSE,
President Common Council.

IN BOARD OF ALDERMEN, December 27, 1871.

Passed to be ordained.

HAMLIN R. HARDING, *Mayor.*

CITY OF CAMBRIDGE.

IN THE YEAR ONE THOUSAND EIGHT HUNDRED AND SEVENTY-TWO.

AN ORDINANCE PROVIDING FOR THE APPOINTMENT OF A CITY SOLICITOR, AND PRESCRIBING HIS DUTIES.

Be it ordained by the City Council of Cambridge, as follows : —

SECT. 1. On the first Wednesday of April, annually, or within thirty days thereafter, there shall be elected, by concurrent vote of both branches of the City Council, to be first acted upon by the Mayor and Aldermen, a Solicitor for the City of Cambridge, who shall be a resident citizen thereof, and who shall have been admitted an attorney and counsellor of the Courts of the Commonwealth, and who shall not hold any other office under the City Government during the period for which he is elected. He shall hold his office for one year from the first Monday of April, in the year in which he shall be elected, and until his successor is elected and qualified, unless sooner removed; and he shall be removable at the pleasure of the City Council, and vacancies may be filled at any time for the unexpired term.

SECT. 2. It shall be the duty of said Solicitor, by himself or by some person by him duly authorized, for whose conduct, skill, and faithfulness he shall be accountable, to draft all bonds, deeds, obligations, contracts, leases, conveyances, agreements, and other legal instruments of whatever nature which may be required of him by any ordinance or order of the Board of Aldermen, or of the City Council, or which, by any ordinance or order heretofore passed, may be requisite to be done and made by the City of Cambridge, and any person or persons contracting with the city in its corporate capacity, and which, by law, usage, or agreement, the city is to be at the expense of drawing.

SECT. 3. It shall be the duty of said City Solicitor to commence and prosecute all actions and suits to be commenced by the city, before any tribunal in this Commonwealth, whether in law or equity, and also to appear in, defend, and advocate the rights and interests of the city, or any of the officers of the city in any suit or prosecution, for any act or omission in the discharge of their official duties, wherein any estate, right, privilege, ordinances, or acts of the City Government, or any breach of any ordinance may be brought in question. And said Solicitor shall also appear before the Legislature of the Commonwealth, or any committee thereof, whether of either or both branches of the same, and there, in behalf of the city, represent, answer for, defend, and advocate the interests and welfare of said city, whenever the same may be directly or incidentally affected, whether to prosecute or defend the same. And he shall, in all matters, do all and every professional act, incident to the office, which may be required of him by the City Government, or by any joint or special committee thereof, or by any ordinance or order heretofore passed. And he shall, when required, furnish the Mayor, Board of Aldermen, the Common Council, or any joint or special committee of either branch thereof, and any officer of the City Government who may require it in the official discharge of his duties, with his legal opinion on any subject touching the duties of their respective offices.

SECT. 4. A City Solicitor shall forthwith be elected, to hold office until his successor shall be duly elected and qualified, as provided in the first section of this ordinance.

SECT. 5. In full compensation for all the services of said Solicitor, he shall receive such salary as the City Council may from time to time fix and determine. In all cases, however, when his attendance may be required out of the city, his reasonable travelling expenses

shall be allowed him; and in suits and prosecutions he shall be entitled to receive and retain for his own use, the legal taxable costs which may be recovered of the adverse party, when the city shall recover the same, according to the usage and practice of the courts.

SECT. 6. So much of chapter four of the Revised Ordinances as imposes certain additional duties upon the City Clerk, is hereby repealed.

IN COMMON COUNCIL, *January 17, 1872.*

Passed to be ordained.

ALVARO BLODGETT, *President.*

IN BOARD OF ALDERMEN, *January 17, 1872.*

Passed to be ordained.

WILLIAM L. WHITNEY, *Chairman.*

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SUPPLEMENT
TO THE
REVISED ORDINANCES
OF THE
City of Cambridge,
WITH
NOTES AND REFERENCES SHOWING THE AMENDMENTS
MADE SINCE THE REVISION.

PUBLISHED BY ORDER OF THE CITY COUNCIL.



CAMBRIDGE:
PRESS OF JOHN WILSON AND SON.
1877.

PREFACE.

THE following work was undertaken at the request of the Committee on Ordinances, which Committee was instructed by an order of the City Council, approved March 8, 1877, "to prepare and cause to be printed five hundred copies of a Supplement to the Revised Ordinances of the City, which shall contain all new Ordinances and notes and references to every chapter and section which has been amended by any Ordinance passed subsequent to the general revision in 1871; the whole arrangement to be such that a clear knowledge of all existing Ordinances can be readily obtained."

References are given to general or special acts in amendment or alteration of the City Charter; and the Statute of 1867, chapter 68, in relation to the election of the School Committee, is printed at length, having been accidentally omitted in the volume of Revised Ordinances. The Ordinance concerning moneys received for the care of lots in the Cambridge Cemetery is given as a note to the act concerning the Cemetery, and

reference is made in the same manner to the recent statute concerning the appointment of a Clerk of the Police Court. References will be found to each chapter of the Revised Ordinances, showing what changes, if any, have been made. The amendments of the Joint Rules and Orders of the City Council, and of the Rules and Orders of the Board of Aldermen, are given; and are followed by those Ordinances which are not in amendment of any of the Revised Ordinances and are not printed as notes or references to them.

Ordinances which were temporary in their nature and are no longer in force, and those which have been expressly repealed, have been omitted. Their titles will, however, be found in the list of Ordinances.

J. A. J.

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1. An Ordinance creating the Office of Clerk of Committees, passed December 13, 1871.
2. An Ordinance in relation to Protection from Fire, passed December 27, 1871.
3. An Ordinance in relation to the Fire Department, passed December 27, 1871.
4. An Ordinance providing for the Appointment of a City Solicitor, and prescribing his Duties, passed January 17, 1872.
5. An Ordinance in addition to the Ordinance relating to Accounts and Finance, passed March 20, 1872.
6. An Ordinance relating to the Water Loan, passed April 8, 1872.
7. An Ordinance in relation to Police, passed April 17, 1872.
8. An Ordinance relating to the Compensation of the Driver and Members of the Hook and Ladder Company, and the Forfeiture of Compensation of the Members of the Fire Department, passed May 22, 1872.
9. An Ordinance in relation to Moneys received for Care of Lots in Cambridge Cemetery, passed October 16, 1872.
10. An Ordinance in relation to the Compensation of Members of the Fire Department, passed November 20, 1872.
11. An Ordinance in relation to the Boundaries of the several Wards, and the number of Members of the Common Council to be elected by each Ward, passed November 27, 1872.
12. An Ordinance concerning Bonds of the Water Loan, passed April 17, 1873.
13. An Ordinance relating to the Compensation of Members of the Fire Department, passed April 17, 1873.

14. An Ordinance relating to Licensees, passed April 23, 1873.
15. An Ordinance in relation to the Salaries of the City Clerk and Auditor of Accounts, passed May 7, 1873.
16. An Ordinance creating the Office of Superintendent of Public Buildings, passed June 18, 1873.
17. An Ordinance in relation to Bow-Windows and other Projections from Buildings, passed July 2, 1873.
18. An Ordinance in relation to the Compensation of the Engineers of the Fire Department, passed July 9, 1873.
19. An Ordinance in relation to the Water Works passed July 9, 1873.
20. An Ordinance in relation to the going at large of Domestic Fowls and Goats, passed July 23, 1873.
21. An Ordinance in relation to Sewers, passed September 10, 1873.
22. An Ordinance amending the "Ordinance providing for the Appointment of a City Solicitor, and prescribing his Duties," &c., passed September 24, 1873.
23. An Ordinance relating to the Salary and Duties of the Board of Assessors, passed October 8, 1873.
24. An Ordinance providing for the Annual Publication of City Ordinances, passed November 19, 1873.
25. An Ordinance amending the Ordinance relating to Sewers, passed December 24, 1873.
26. An Ordinance abolishing the Office of Superintendent of Public Buildings, passed March 4, 1874.
27. An Ordinance repealing Section One of the Ordinance relating to Schools, passed March 11, 1874.
28. An Ordinance in relation to Collection of Junk, passed April 1, 1874.
29. An Ordinance in relation to the Election of certain City Officers, passed April 15, 1874.
30. An Ordinance in relation to moving Buildings, passed April 22, 1874.
31. An Ordinance in amendment of the Ordinance in relation to Streets, passed June 1, 1874.
32. An Ordinance in amendment of the Ordinance in relation to Health, passed July 6, 1874.
33. An Ordinance in amendment of the Ordinance in relation to Health, passed October 5, 1874.
34. An Ordinance in amendment of an "Ordinance in addition

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to the Ordinance relating to Accounts and Finance," passed November 2, 1874.

35. An Ordinance in amendment of the Ordinance in relation to Health, passed November 23, 1874.
36. An Ordinance in amendment of the Ordinance in relation to Streets, passed November 23, 1874.
37. An Ordinance in amendment of the Ordinance in relation to the Fire Department, passed November 23, 1874.
38. An Ordinance in amendment of the Ordinance in relation to Lamps, passed December 7, 1874.
39. An Ordinance in amendment of the Ordinance in relation to Accounts and Finance, passed December 15, 1874.
40. An Ordinance in amendment of the Ordinance in relation to Streets, passed February 10, 1875.
41. An Ordinance in amendment of the Ordinance in relation to Deeds, passed March 8, 1875.
42. An Ordinance in relation to Sewers, passed May 26, 1875.
43. An Ordinance amending Chapter I. of the Revised Ordinances, passed September 30, 1875.
44. An Ordinance in relation to Collection of Junk and other articles, passed October 6, 1875.
45. An Ordinance regulating the matter of Carriage-Hire by the City Council or Committees thereof, passed November 24, 1875.
46. An Ordinance in amendment of an Ordinance in relation to Sewers, passed December 8, 1875.
47. An Ordinance in amendment of an Ordinance amending Chapter I. of the Revised Ordinances, passed December 8, 1875.
48. An Ordinance in relation to Rates for Water used for Fire Hydrants and for Watering Streets; being in amendment of Chapter XXIX. of the Revised Ordinances, passed December 22, 1875.
49. An Ordinance in relation to Sinking Funds, passed December 22, 1875.
50. An Ordinance in relation to Sinking Funds, passed December 29, 1875.
51. An Ordinance in relation to the Payment of certain Laborers to be employed by the Water Board in connecting and improving certain Ponds, under special authority from the City Council, passed January 19, 1876.

52. An Ordinance in amendment of an Ordinance in relation to Sinking Funds, passed March 1, 1876.
53. An Ordinance in relation to Payment of City Employés, passed March 15, 1876.
54. An Ordinance in relation to Prison Point Bridge, being in amendment of Chapter XXV. of the Revised Ordinances, passed March 22, 1876.
55. An Ordinance in relation to the Fire Department, passed May 3, 1876.
56. An Ordinance establishing the Salaries of certain City Officers, passed September 20, 1876.
57. An Ordinance in relation to the Water Works, passed October 4, 1876.
58. An Ordinance establishing the Salary of the Treasurer of the Board of Commissioners of the Sinking Funds of the City, passed December 2, 1876.
59. An Ordinance concerning the Care and Management of the Bridge Charitable Fund, passed December 13, 1876.
60. An Ordinance in relation to the Water Works, passed December 27, 1876.
61. An Ordinance in relation to the Construction of Buildings, passed December 27, 1876.
62. An Ordinance in amendment of the Ordinance concerning the Care and Management of the Bridge Charitable Fund, passed January 24, 1877.
63. An Ordinance in amendment of the Ordinance in relation to Police, passed February 21, 1877.
64. An Ordinance in amendment of an Ordinance in relation to Sinking Funds, passed March 21, 1877.
65. An Ordinance in relation to the Construction of Buildings, passed April 11, 1877.
66. An Ordinance in amendment of an Ordinance in relation to the Fire Department, passed April 18, 1877.

CITY OF CAMBRIDGE.

NOTES ON THE CITY CHARTER.

SECT. 3. *Revision of Wards.* See Stat. 1865, ch. 7, for provisions for revising the boundaries of the wards in the years in which the State Census is taken.

The City Council has never acted under this Statute.

SECT. 4. The day of the city election was changed from the first Monday in December to the first Tuesday, by Stat. 1874, ch. 376, sect. 53.

SECT. 6. The following Act was passed in 1877: —

“An Act relating to Ward Officers in Cities.

“SECT. 1. The Mayor and Aldermen of every city, except Boston, shall, prior to the first day of November in the present year, elect for each ward of such city three Inspectors of Elections, who shall be qualified voters and inhabitants in such ward. One of said Inspectors shall hold his office for one year, one for two years, and one for three years, from said first day of November; and, in each year after the present, the Mayor and Aldermen shall, before the first day of November, elect for each ward of the city one Inspector of Elections, who shall be a qualified voter and inhabitant in such ward, and shall hold office for three years from the first

day of November then next succeeding. Any such Inspector may be at any time removed from office by a vote of two-thirds of the Board of Aldermen of the city, and any vacancy occurring in the office of said Inspectors shall be filled for the residue of the term of the Inspector whose place is to be filled, by election, as above provided.

“SECT. 2. Such Inspectors of Elections, before entering upon the duties of their office, shall take and subscribe an oath faithfully and impartially to discharge such duties; which oath may be administered by the City Clerk of the city, or by any Justice of the Peace, and a record made thereof in the office of the City Clerk.

“SECT. 3. It shall be the duty of such Inspectors to attend at the times and places designated for meetings in their respective wards, for the elections of any officers, whether of the United States, State, city, or wards, or for the determination of any question submitted to the qualified voters by lawful authority; and to perform such duties as are required of Inspectors of Elections in cities under existing laws.

“SECT. 4. Such Inspectors of Elections shall receive such compensation for each day's actual service as the City Council of their respective cities may from time to time determine, and shall be subject to all the penalties to which ward officers are subject under general laws.

“SECT. 5. No ballots shall be received at any election until at least two of said Inspectors are present; nor until each of them who is present has ascertained, by personal examination, that the ballot-boxes are empty. While an election is going on, each ballot-box shall be in the immediate charge of two Inspectors,—one from the Inspectors elected under the provisions of this Act, and one from the Inspectors elected by the voters of the

ward,—during the whole time the ballots are received in that box: *Provided*, that whenever, in consequence of the absence of any of said Inspectors at any election, the provisions of this section cannot be complied with within thirty minutes from the hour named in the warrant for the opening of the polls, then the election shall proceed, notwithstanding such provisions.

“SECT. 6. This Act shall not take effect in any city until it shall have been accepted by the Mayor and Aldermen and Common Council of such city by concurrent vote.

“SECT. 7. All Acts and parts of Acts inconsistent with this Act are hereby repealed; but this Act shall not be construed to repeal any provisions of law which provide for the election of Inspectors of Elections by the voters of wards.” [Stat. 1877, ch. 209.]

SECT. 7. The declaration of the result of an election is not to be made until the expiration of the three days allowed for filing a request for a recount of ballots; or, if such a request has been made, until the ballots have been examined, and the returns, if found erroneous, have been amended, which must be done within five days, Sunday excepted, next following the day of election. [Stat. 1876, ch. 188, sect. 5.]

SECT. 9. In any city where the Mayor acts as presiding officer of the Board of Aldermen, he has no right to vote. [Stat. 1876, ch. 193, sect. 2.]

The Mayor is a member of the Board of Overseers of the Poor, and not merely Chairman *ex officio*. [Stat. 1877, ch. 41, sect. 1.]

In order to pass any Ordinance, Order, Resolution, or Vote over the veto of the Mayor, the vote of two-thirds of the members of each branch of the City Council

present and voting is required. [Stat. 1876, ch. 193, sect. 1.]

SECT. 11. This section is amended by the following Act: —

“An Act relating to the Registration of Voters.”

“SECT. 1. In cities, the place of residence of each voter as of the first day of May next preceding the making up of the voting-lists shall be entered thereon opposite the name of the voter; and the assessors of taxes in cities shall enter, opposite the name of each resident male taxpayer in the list committed by them to the collectors of taxes, the residence, giving the street and number if possible; and the same entry shall be made on the tax-bills distributed to such tax-payers. The tax-bills of persons assessed for a poll-tax only, shall be distributed on or before the fifteenth day of September of the year in which the tax is assessed.

“SECT. 2. In cities, registration of voters shall cease at twelve o'clock midnight of the seventh day next preceding the day of any election; and no name shall thereafter be entered on the voting-lists of cities, except as provided in section ten of chapter three hundred and seventy-six of the Acts of the year eighteen hundred and seventy-four.

“SECT. 3. Section six of chapter sixty of the Acts of the year eighteen hundred and seventy-four is hereby amended by striking out the word ‘twenty’ wherever it occurs therein, and inserting in its place the word ‘twenty-four.’” (This section applies to the City of Boston only.) [Stat. 1877, ch. 235.]

SECT. 12. *Note.* The City of Cambridge is in the Third Council District (Stat. 1876, ch. 222, sect. 3), constitutes the Third Middlesex Senatorial District (Stat. 1876, ch. 190, sect. 8), and is in the Eighth Congressional District (Stat. 1872, ch. 300, sect. 2).

The First and Fifth Wards constitute the First Representative District of Middlesex County, and have two Representatives; the Second and Fourth Wards constitute the Second District, and have three Representatives; the Third Ward is the Third District, and has one Representative. (Established under Stat. 1876, ch. 15.)

SECT. 20. See Stat. 1877, ch. 133, concerning Boards of Health.

SECT. 24. The Act under which the members of the School Committee are elected is Stat. 1867, ch. 68, and is as follows:—

“SECT. 1. The qualified voters of the City of Cambridge, at their annual meeting for the election of municipal officers first to be held after the passage of this Act, shall elect a School Committee, consisting of three persons from each ward; one of whom from each ward shall hold office for the term of one year, one for the term of two years, and one for the term of three years.

“SECT. 2. The ballots for said School Committee shall designate the term of years during which each person voted for shall serve.

“SECT. 3. After such election shall have been held, there shall be elected annually one person from each ward, to serve as a member of the School Committee for the term of three years.

“SECT. 4. This Act shall not take effect until accepted by the voters of said city, at a meeting duly held for said purpose.” [*Accepted Nov. 5, 1867.*]

The City Charter has been amended in relation to the election of Overseers of the Poor as follows:—

"An Act concerning the Overseers of the Poor of the City of Cambridge.

"SECT. 1. The City Council of the City of Cambridge shall, in the month of April in the current year, in joint convention, elect by ballot five persons, — one at least from among the residents of each of the present representative districts of said city, to be Overseers of the Poor in said city, one person for one year, one person for two years, one person for three years, one person for four years, and one person for five years; and said Council shall annually thereafter, in the month of April, in like manner, elect one person to serve for five years. These persons so chosen shall, together with the Mayor, who shall *ex officio* be Chairman of the Board, constitute the Board of Overseers of the Poor in said City of Cambridge.

"SECT. 2. The members of said Board shall enter upon their duties on the first Monday of May next after their election, and hold office until others are elected and qualified in their stead. Vacancies from any cause shall forthwith be filled by the City Council in the same manner; and the person elected to fill any vacancy shall hold office during the unexpired term of the member who has ceased to hold office, and until another is chosen and qualified in his stead.

"SECT. 3. Said Board shall annually, on the first Monday of May, meet and organize, and shall choose such subordinate officers and agents as they may deem expedient, and define their duties and fix their salaries; but no member of the Board shall be eligible to be chosen by said Board to any position of emolument.

"SECT. 4. Said Overseers shall render such accounts and reports of their expenditures, acts, and doings, as may be required by the City Council.

"SECT. 5. The present Overseers of the Poor in the City of Cambridge shall hold office until others are elected and qualified under the provisions of this Act, and no longer.

"SECT. 6. All Acts and parts of Acts inconsistent with this Act are hereby repealed.

"SECT. 7. This Act shall take effect upon its acceptance by the City Council of the City of Cambridge, by concurrent vote: *Provided*, the same shall be accepted within sixty days from the date of its passage." [Stat. 1877, ch. 41. Accepted by the City Council, March 14, 1877.]

NOTES ON THE ACT CONCERNING THE POLICE COURT.

SECT. 12. The Clerk of the Police Court, when the term of the present Clerk expires, is to be appointed by the Governor, with the consent of the Council. [Stat. 1877, ch. 210.]

NOTES ON THE ACT CONCERNING THE
CAMBRIDGE CEMETERY.

SECT. 2. *Care of Lots.*

*An Ordinance in relation to Moneys received for Care of Lots
in Cambridge Cemetery.*

SECT. 1. The City will receive of any person any sum of money, not less than one hundred dollars, the interest thereof, at the rate of six per centum per annum, to be applied to the annual care of such lot in the Cambridge Cemetery as the person paying said money shall designate.

SECT. 2. The City Treasurer shall receive all sums of money paid in accordance with the provisions of the preceding section, giving a proper receipt of the City therefor; and shall annually, at such time as the Board of Commissioners of the Cambridge Cemetery shall request, pay over to said Board six per cent interest upon all sums so paid to and receipted for by him, with a statement of the several lots in the Cemetery upon which the interest so paid is to be expended.

SECT. 3. Said Board shall receipt for and faithfully apply all sums of interest so received by it, in accordance with the statement so made by the City Treasurer.

SECT. 4. The fund so created shall be denominated the "Cemetery Fund for the Perpetual Care of Lots."

SECT. 5. The foregoing Ordinance shall apply to all sums heretofore deposited for this purpose. [*Adopted Oct. 16, 1872.*]

NOTES ON THE REVISED ORDINANCES.

CHAPTER I.

ACCOUNTS AND FINANCE.

See the law upon the subject of Municipal Indebtedness, Stat. 1875, ch. 209.

The following Ordinances relate to Sinking Funds: —

An Ordinance in Relation to Sinking Funds.

SECT. 1. There shall be a Board of Commissioners on the Sinking Funds of the City, which shall have control of all funds created for the payment or redemption of the City debt, except those pertaining to the Water Loan.

SECT. 2. Said Board shall consist of six persons chosen by concurrent vote of the City Council, to be first acted upon by the Mayor and Aldermen, two of whom shall hold office for one year, two for two years, and two for three years, from the first Wednesday of May, 1876. Said Commissioners shall be elected in January, 1876; and annually thereafter, in April, two members of said Board shall be so chosen to hold office for three years from the first Wednesday of May following their election. No member of the City Council shall be a member of said Board of Commissioners.

SECT. 3. All loans for public buildings and lands therefor, for constructing and improving bridges, for taking, raising, and improving low lands, for laying out and paving streets, purchasing public lands, and widening streets, shall be negotiated for ten years. All loans for constructing sewers and drains shall be negotiated for twenty years. Bonds issued for such loans shall bear upon the face the purpose for which they were issued, and be dated the first day of either January, April, July, or October, of the year they are issued.

SECT. 4. For Sinking Funds to redeem at maturity such several loans of the City authorized after March 20, 1872, there shall be annually appropriated and raised by taxation, on account of loans made for ten years, a sum equal to eight per cent thereof; on account of loans made for twenty years, a sum equal to three per cent thereof; and on account of outstanding loans made for thirty years, a sum equal to one and one-half per cent thereof; and for a Sinking Fund to redeem the funded debt of the City created prior to March 20, 1872, excluding the Water Loan, there shall be annually appropriated and raised by taxation the sum of ten thousand dollars: and all amounts so raised by taxation shall annually, on or before the thirtieth day of November, be paid by the City Treasurer to said Board. And whenever any payment is so made before the thirtieth day of November, interest shall be paid thereon, at the rate of six per centum per annum, by the Commissioners on the Sinking Funds, from the time of said payment until said thirtieth day of November.

SECT. 5. The Board shall, at the close of each financial year, certify to the Auditor of Accounts the amounts hereunder required to be raised by taxation for the several funds, which amounts shall be put into the yearly appropriation

the next succeeding year, and shall invest all sums paid to it under section four, with their accumulations, in the manner provided by the two hundred and ninth chapter of the Acts of 1875. The bonds of the City thus acquired shall remain as a part of the assets of the several specific funds with which they were purchased; but, if it appears to the Board that any Sinking Fund will be more than sufficient to redeem at maturity the loan for which it was created, the Board may, in its discretion, discontinue further taxation on account thereof, for such time as it may deem expedient. In purchasing bonds of the City, those issued for the shortest time shall, as far as practicable, be purchased.

SECT. 6. Bonds of the City of Cambridge, so purchased, shall have written or stamped upon the face thereof the words, "A part of the Sinking Funds of the City of Cambridge, and not negotiable."

SECT. 7. When a debt to be paid from a Sinking Fund becomes due, the Board shall furnish the City Treasurer, from the funds in its care for such payment, the sum required, or so much as is to the credit of such debt, taking his receipt therefor.

SECT. 8. The Board shall annually, in December, report to the City Council the exact condition of the several funds under its control to the first day of said month.

SECT. 9. The Board shall keep a full record of its doings in a book for the purpose, which record shall be at all times open to the inspection of each Board of the City Council.

SECT. 10. This Ordinance shall take effect upon its passage; and the Ordinance entitled "An Ordinance in addition to the Ordinance relating to accounts and finance," passed March 20, 1872, is hereby repealed. [*Adopted Dec. 22, 1875.*]

The second section of the foregoing Ordinance originally provided for the first election of Commissioners in April, 1876; but was amended by changing the time to January, by an Ordinance adopted December 29, 1875.

In section four, second line, the word "after" was substituted for the word "since," the words "on or before" were inserted before the words "thirtieth day of November," and the clause concerning the payment of interest was added at the end of the section, by the same Ordinance.

An Ordinance establishing the Salary of the Treasurer of the Board of Commissioners of the Sinking Funds of the City.

The Salary of the Treasurer of the Board of Commissioners of the Sinking Funds of the City shall be three hundred dollars per annum, payable in equal quarterly payments. [*Adopted Dec. 2, 1876.*]

SECTION 1 of chapter I. of the Revised Ordinances is amended by requiring the Committee on Accounts to report monthly the amount, as near as may be, of all outstanding contracts and bills chargeable to each of said appropriations. [*Ordinance adopted Dec. 15, 1874.*]

SECTION 2 is amended as follows: —

The Committee on Accounts shall not allow and pass any bill coming from any Committee or any Board (other than the Board of Aldermen and School Committee), unless said bill bears the written signatures of a majority of the members of such Board or Committee. [*Ordinances adopted Sept. 30, 1875, and Dec. 8, 1875.*]

SECTION 6 is amended by adding at the end of the section the words, "And the chairman of the several committees shall furnish to the Committee on Accounts monthly statements, as far as practicable, of the amount

of all outstanding contracts and bills chargeable to their several appropriations." [*Ordinance adopted Dec. 15, 1874.*]

SECT. 21. See, as to the length of time for which bonds for different loans may be given, section third of the Ordinance in relation to Sinking Funds, at the beginning of this chapter.

CHAPTER II.

BUILDING.

An Ordinance in relation to the construction of buildings was adopted Dec. 27, 1876; but was repealed and superseded by the following

Ordinance in Relation to the Construction of Buildings.

SECT. 1. No building in this City, except manufactories, and halls for public assemblies, shall be built or extended so that it shall be in a range of more than fifty feet, without the intervention of a brick wall at least eight inches in thickness, except by permission of the City Engineer. Said wall shall be built up at least two feet above the flat of the roof of the highest building of which such wall forms a part, for the full extent of the flat; and the top of said wall shall be covered with a coping of stone or iron, or of other metal; and, where there is a mansard or a pitch roof, the wall shall be built up to the under side of the roof covering (that is, to the top side of the roof boarding), which shall be laid and imbedded in mortar upon said wall.

SECT. 2. The exterior walls of every brick building

hereafter erected in this City, to be used for the purposes of a dwelling-house, shall be at least twelve inches thick to the second floor above the street, and eight inches for the remaining height; provided the building is not more than thirty feet from sidewalk to gutter, in which case the twelve-inch wall shall go to the third floor. All floors and roofs to be anchored to walls not less than once in ten feet.

Every brick building to be used for purposes other than a dwelling-house, and more than thirty feet in height, shall be constructed with walls of a thickness and character satisfactory to the officer named in the sixth section of this Ordinance.

SECT. 3. All chimneys hereafter erected in this City shall be built from the ground, of brick, stone, or other fire-proof, non-conducting materials; and shall be built plumb, or nearly so, so as to be self-sustaining.

All brick flues shall be smoothly plastered inside with mortar from top to bottom, and outside below the roofing; and hearths of fireplaces or grates shall be laid upon brick or other trimmer arches, or upon bars of iron supporting a bed of brickwork.

No wood-work of any kind shall be placed at a less distance than one inch from the outside brick-work of any flue; and in no case shall a nail be driven into the masonry of any flue.

SECT. 4. No smoke-pipe shall pass through stud or wooden partitions of any kind, whether the same be plastered or not, without being guarded, either by a double collar of metal with at least four inches air-space and holes for ventilation, or by a soapstone ring not less than three inches in thickness, and extending through the partition.

No wood-work shall be placed at a less distance than

one inch from any tin or other metal flue or flues, pipe or pipes, used or intended to be used to convey heated air in any building, unless such flues or pipes be cased with metal, leaving a free circulation of air all around the same.

SECT. 5. All buildings used for public assemblies or for manufacturing purposes, where more than twenty persons are employed, and all tenement houses intended for the occupancy of more than two families, shall be provided with fire-escapes, or two suitable ways of egress, accessible from every floor that is eighteen feet or more above the grade of the land immediately adjoining; said escapes or modes of egress to be satisfactory to the officer named in the sixth section hereof.

SECT. 6. The City Engineer shall have supervision over all matters provided for in this Ordinance, and shall have authority to prescribe the character and thickness of the walls referred to in the latter part of section two, and the character of the fire-escapes or modes of egress referred to in section five hereof. All permits given by him in reference to such matters to be in writing. Parties dissatisfied or aggrieved by any decision or action of said City Engineer, as to matters placed under his charge by authority of this Ordinance, may appeal to the Board of Mayor and Aldermen, whose decision in such cases shall be final.

SECT. 7. Any person or persons violating any of the provisions of this Ordinance shall, upon written notice from the officer named in section six hereof, served upon him or them, alter said building in conformity with the provisions of this Ordinance, within a reasonable period of time from said service. Any party or parties refusing or neglecting to comply with such notice shall be liable to a penalty of not less than twenty nor more than fifty

dollars, and shall be restrained from further violation of this Ordinance by provisions already established by law.

SECT. 8. The Ordinance adopted December seventh, in the year eighteen hundred and seventy-six, entitled, "An Ordinance in relation to the Construction of Buildings," and all Ordinances inconsistent with this Ordinance are hereby repealed. [*Adopted April 11, 1877.*]

CHAPTER III.

BURIAL-GROUNDS AND THE INTERMENT OF THE DEAD.

No change has been made in this chapter.

CHAPTER IV.

CITY CLERK.

The first four sections of this chapter were repealed by the Ordinance creating the office of City Solicitor and prescribing his duties, adopted Jan. 17, 1872.

SECT. 5. The allowance to the City Clerk for clerical assistance was made fifteen hundred dollars, by Ordinance adopted May 7, 1873.

CHAPTER V.

CONSTABLES.

No change has been made in this chapter.

CHAPTER VI.

THE DANA LIBRARY.

No change has been made in this chapter.

CHAPTER VII.

DEEDS.

The following section has been added to this chapter :

"SECT. 3. Whenever the owner of any land sold to the City for the non-payment of assessments for the construction of sewers or sidewalks, for filling lands to grade under the Low Land Acts, or for benefits caused by the laying out, altering, widening, grading, or discontinuing of a street under the Betterment Act, shall, within two years from the day of the sale, pay to the City Treasurer the sum for which the land was sold to the City, with ten per centum interest thereon and all necessary intervening charges, the City Treasurer shall certify the same to the Mayor; who shall thereupon, on behalf of the City, execute, acknowledge, and deliver such a deed as may be necessary to release whatever interest the City acquires by the sale." [*Ordinance adopted March 3, 1875.*]

CHAPTER VIII.

ELECTIONS.

No change has been made in this chapter; but see note to sect. 6 of City Charter, being the Act of 1877 in relation to ward officers in cities.

CHAPTER IX.

ENGINEERING.

No change has been made in this chapter.

CHAPTER X.

THE FIRE DEPARTMENT.

SECT. 2. Election of Chief Engineer and Assistant Engineers to take place in the month of April. [*Ordinance adopted Nov. 23, 1874.*]

SECT. 9. Each steam fire-engine company to consist of twelve men, of whom seven are hosemen.

No Assistant Foreman to be chosen by the company ; but the duties of the office to be performed by the Driver of the hose-carriage, without extra compensation. [*Ordinance adopted May 3, 1876.*]

SECT. 11. Duties of Assistant Foreman. See the note to sect. 9.

SECT. 13. For additional duties of the Driver of the hose-carriage, see note to sect. 9.

SECT. 15. The clause in relation to forfeiture of compensation repealed. [*Ordinance adopted May 22, 1872.*]

SECT. 40. Further provisions for protection from fire were made by

An Ordinance in Relation to Protection from Fire.

SECT. 1. The Board of Aldermen, upon its knowledge by complaint or otherwise, and view of any defective or dangerous chimney or fireplace in the City, shall provide that the same be examined and inspected, and, when it shall deem that the safety of the City so requires,

shall order the same to be forthwith repaired or taken down and demolished.

SECT. 2. If the owner of any such chimney or fire-place, after having received, or had left at his residence or place of business, a copy of an Order of the Board of Aldermen, attested by the Clerk, to repair or take down the same, fails to do so, he shall be liable to a fine of twenty dollars.

SECT. 3. The Board of Aldermen may cause such chimney or fireplace to be taken down, and abated as a common nuisance, at the expense of the owner thereof. [*Adopted Dec. 27, 1871.*]

SECT. 41. The members of the Fire Department are paid monthly at the following rates:—

STEAMER COMPANIES.

Foreman	\$220 per year.
Hosemen and Firemen	200 " "
Engineers	90 " month.
Drivers	75 " "

HOOK AND LADDER COMPANY.

Foreman	\$220 per year.
Assistant Foreman	210 " "
Drivers	75 " month.
Members	200 " year.

[*Ordinances adopted April 17, 1873, and Sept. 20, 1876.*]

SECT. 42. The compensation of the Telegraph Operator is made the same as that of an engineer of a steamer company,—ninety dollars per month. [*Ordinance adopted April 18, 1877.*]

CHAPTER XI.

GUNPOWDER.

No change has been made in this chapter.

CHAPTER XII.

CITY SCALES AND WEIGHERS.

No change has been made in this chapter.

CHAPTER XIII.

HEALTH.

See Stat. 1877, ch. 133, concerning Boards of Health.

SECT. 3. "Every tenement in the City used as a dwelling-house, *and every building occupied as a manufactory*, shall be furnished with a privy," &c. [*Ordinance adopted Nov. 23, 1874.*]

SECT. 4. "The owner or occupant of any tenement which shall be used as a dwelling-house, *or of any building occupied as a manufactory*, without being furnished with a privy," &c. [*Ordinance adopted Nov. 23, 1874.*]

SECTS. 7 and 8. Wherever the word "vault" occurs in these sections, the words "or cesspool connected with a water-closet" are to be inserted after it. [*Ordinance adopted Oct. 5, 1874.*]

SECT. 10. "No person shall drive, or cause to be driven, any cart or wagon containing night-soil *or blood*, or any wagon or cart used for *either of these purposes*," &c. [*Ordinance adopted July 6, 1874.*]

CHAPTER XIV.

JUNK, OLD METALS, AND SECOND-HAND ARTICLES.

All licenses granted under this chapter for billiard-tables, bowling-alleys, and for collecting junk, unless sooner revoked, expire on the first day of April. [*Ordinance adopted April 23, 1873.*]

But, by Stat. 1876, ch. 147, "Licenses granted to keepers of intelligence offices, dealers in junk, old metals, and second-hand articles, pawnbrokers, and keepers of billiard-saloons and bowling-alleys, continue in force until the first day of May next ensuing," — overruling the Ordinance.

SECT. 2. Repealed, and the following substituted for it: —

"SECT. 2. No person shall, without a license from the Mayor and Aldermen, collect or deal in junk, old metals, rags, grease, bones, or second-hand articles; and no person thus licensed shall, directly or indirectly, either purchase or receive, by way of exchange or barter, any of said articles of any minor, knowing or having reason to believe him to be such. Every person receiving such a license shall pay for the same, to the use of the City of Cambridge, a fee of five dollars before the delivery thereof to him, and no license shall be transferable.

"Every vehicle used in the collection of junk, old metals, rags, grease, bones, or second-hand articles, shall be at all times subject to the inspection of the Mayor and Aldermen, or of any person by them authorized, and shall have the name of the owner and the number of his license placed upon the outside of each side thereof, in plain, legible words and figures of not less than one and one-half

inches in length, and so that the same may be distinctly seen." [*Adopted Oct. 6, 1875.*]

CHAPTER XV.

LAMPS.

SECT. 1. The Superintendent of Lamps to be chosen annually in the month of April. [*Ordinance adopted Dec. 7, 1874.*]

CHAPTER XVI.

MESSENGER.

SECT. 1. The Messenger to the City Council to be chosen annually in the month of April. [*Ordinance adopted April 15, 1874.*]

CHAPTER XVII.

ORDINANCES.

All Ordinances adopted after the revision of the City Ordinances in 1871, to the end of 1873, were published in the City Document of 1874. After the last-mentioned date, the Ordinances passed by the City Council in any year were to be published in the City Document of the year next subsequent to the date of their adoption. [*Ordinance adopted Nov. 19, 1873.*]

CHAPTER XVIII.

POLICE.

SECT. 1. Six Sergeants of Police added to the Police Force. [*Ordinance adopted Feb. 21, 1877.*]

SECT. 2. The Compensation of the Captains of Police is at the rate of eleven hundred dollars per annum, and that of the Policemen two dollars and seventy-five cents per day, payable monthly. [*Ordinance adopted Sept. 20, 1876.*]

The Compensation of the Sergeants of Police is two dollars and eighty-seven and one-half cents per day. [*Ordinance adopted Feb. 21, 1877.*]

SECT. 3. Special Policemen appointed by the Mayor and Aldermen are now called "Policemen without pay."

SECT. 6. The clause authorizing the Chief of Police to employ clerical assistance is repealed. [*Ordinance adopted April 17, 1872.*]

CHAPTER XIX.

SALARIES.

SECT. 1. The following is a list of the Salaries of City Officers mentioned in this chapter, including also those of the Treasurer of the Commissioners of the Sinking Funds, the City Solicitor, and the Clerk of Committees, whose offices have been created since this chapter was adopted. The Salaries of the City Solicitor and the Clerk of Committees are established by order of the City Council: —

The Mayor of the City, two thousand two hundred and fifty dollars.

City Treasurer, two thousand seven hundred dollars.

City Clerk, exclusive of fees established by law, two thousand dollars.

Clerk of Common Council, three hundred dollars.

Auditor of Accounts, nine hundred dollars.

Board of Assessors, four thousand five hundred dollars.

Assistant Assessors, three dollars and fifty cents each per day, while employed.

City Engineer, two thousand seven hundred and fifty dollars.

Chief of Police, one thousand eight hundred dollars.

Secretary of School Committee, three hundred dollars.

Treasurer of Commissioners of the Sinking Funds, three hundred dollars.

City Solicitor, two thousand dollars.

Clerk of Committees, one thousand five hundred dollars.

Superintendent of Streets, one thousand eight hundred dollars.

Chief Engineer, one thousand two hundred dollars.

Four Assistant Engineers, four hundred dollars each.

Clerk of Board of Engineers, fifty dollars.

City Messenger, fifteen hundred dollars.

Superintendent of Lamps, four hundred dollars.

Inspector of Milk, two hundred dollars.

Sealer of Weights and Measures, four hundred dollars.

[*Ordinance adopted July 9, 1873.*

" " *Sept. 20, 1876.*

" " *Dec. 2, 1876.*

Order of City Council, May 9, 1873.

" " " *June 11, 1874.]*

CHAPTER XX.

SANDERS TEMPERANCE FUND.

No change has been made in this chapter.

CHAPTER XXI.

SCHOOLS.

SECT. 1. This section repealed by Ordinance adopted March 11, 1874.

By Stat. 1874, chapter 272, the School Committee of any city may appoint and fix the compensation of a Superintendent of Public Schools, a majority vote of the whole Board being necessary for that purpose.

SECT. 12. The power of appointing truant-officers (two or more), and of fixing their compensation, is given to the School Committee by Stat. 1873, chapter 262.

CHAPTER XXII.

SEAL OF THE CITY.

No change has been made in this chapter.

CHAPTER XXIII.

SEWERS.

This chapter is repealed, and the following has been substituted for it: —

An Ordinance in Relation to Sewers.

SECT. 1. All sewers and drains laid by private parties in any street, court, or way, opened or proposed to be opened for public travel and accommodation, shall be

deemed to be the property of the City when connected with a public sewer; and no such connection shall hereafter be made with a public sewer, except upon consent of the Mayor and Aldermen, nor unless it be of such size, material, construction, and depth, and in such location, as the City Engineer may direct, so far as it is within the lines of such street, court, or way, nor until the owners thereof shall in writing relinquish to the City exclusive control over the same.

SECT. 2. Whenever any street shall be opened for the laying of pipes for water, gas, or other purposes, or for the prosecution of any works of construction, said laying of pipes and the work connected therewith, or such work of construction, shall be executed in such a manner as not to obstruct, in any way whatever, the course, capacity, or construction of a common sewer or drain; and whenever pipes for any purpose, or any work of construction shall hereafter be found to exist at such a depth, or in such location as to interfere with any existing sewer, or with the building of any common sewer of the required size, and at the proper depth and grades, — the department, corporation, company, or individual, as the case may be, maintaining the same, shall, upon notice thereof, at once remove, change, and alter said pipe or pipes, or other works, in such manner as the City Engineer may direct. If such department, corporation, company, or individual neglects to immediately comply with the terms of such notification, then the City Engineer may make such removal, change, or alteration, and the cost thereof shall be paid by such corporation, company, or individual.

SECT. 3. The City Engineer shall, under the direction of the Committee on Sewers and Drains, take the general superintendence of all main drains and common

sewers built or permitted to be built or owned by the City, and of all connections built under provisions of this Ordinance, and take charge of the building, repairs, and keeping in order of the same.

SECT. 4. He shall make and file in his office accurate plans of all sewers and main drains, showing all entrances thereto when made as hereinafter provided. He shall have constant care of, and keep clean, and in every way in proper order, condition, and repair, all street catch-basins and main drains or connecting drains within the limits of any street, court, or way ; provided, however, that the Superintendent of Streets shall keep the cesspools open and clear of ice in cold weather, so as to permit of the flow of surface water through them and thence into the sewers.

SECT. 5. He shall keep and submit to the Mayor and Aldermen an accurate account of the expenses of constructing each main or common drain, together with a plan in detail thereof, showing all estates abutting thereon, or deriving benefit therefrom, with their front-ages, areas, and owners' names ; or in such manner as to conform fully to the principle upon which estates are to be assessed by the Board of Mayor and Aldermen for the time being.

He shall keep, and, whenever requested, report to either branch of the City Council an accurate account of the cost and all other expenses upon each common sewer or main drain ; and he shall annually, in December, submit a report of all work performed, and the amount of all expenditures from the Appropriation for Sewers and Drains.

SECT. 6. In the month of January of each year, and at other times whenever necessary, the Committee on Sewers and Drains shall license not less than five com-

petent drain layers in each ward of the city (provided such number shall apply for licenses), who alone shall be authorized to make all openings or excavations in any street or highway for the purpose of constructing or repairing any private drains, and who shall construct all entrances into the main drains and sewers. Such persons shall hold office for one year, unless sooner removed by said committee. No such private drain shall be laid of a less size than six inches interior diameter; and the work shall be done as directed by the City Engineer.

SECT. 7. Every person licensed as provided in the preceding section shall, before performing any work authorized thereby, execute a bond to the City in the sum of Five Hundred Dollars, with two good and sufficient sureties, to be approved by the Committee on Sewers and Drains, conditioned that he shall comply with the terms of the permit under which entrance is made; that he shall cause the excavation to be properly fenced during the whole time the street may be obstructed; that he will, when necessary, maintain one or more lighted lanterns in a conspicuous place over such obstruction from twilight in the evening and through the whole night; that he will properly make all entrances to the sewers, and will leave no obstruction of any description in the sewer which he may open; that he will properly close the excavation, restore the earth and pavement taken up, and regrade and repave the street, should it settle or become out of order through any negligence of his within six months thereafter; and, if he fails to do so within forty-eight hours after being notified thereof in writing by the City Engineer, then it shall be regraded and repaved by the City, at his expense; and that he will indemnify and hold harmless the City from any damage or cost to which it may be

put by reason of injuries resulting to any one from neglect or carelessness in making or repairing such drain, or in properly fencing or lighting any excavation or obstruction, or in performing any other work connected therewith.

SECT. 8. No private drain shall be entered into any main drain or sewer without a permit in writing from the City Engineer, stating the time, place, manner, and construction of such entrance; and, on the completion of the work, the permit shall be returned to the office of the City Engineer, indorsed by the layer of the drain, with a statement of his proceedings thereunder.

SECT. 9. No private drain shall be connected with a public sewer, except through an intervening catch-basin of brick, the bottom of which must not be less than two and one-half feet below the bottom of the outlet pipe, the diameter of suitable size to drain the premises, and the form and construction to be prescribed by the City Engineer; and the discharge-pipe of the catch-basin shall be high enough above its bottom to prevent any thing but the liquid contents passing into the sewer.

SECT. 10. Private catch-basins may be placed under the sidewalk, when, in the opinion of the City Engineer, it may be necessary, — the same to be covered with an iron cover set in a stone curb, — and shall be examined and cleaned of their solid contents by or at the expense of the owners thereof as often as once a year, and as much oftener as necessary to prevent the discharge of any solid matter into the drain or sewer.

SECT. 11. No drain connecting with a common sewer, subject to the action of the tide-water, shall be constructed without a plug or clapper to completely prevent the reflux of drainage matter, storm or tide-waters.

SECT. 12. All drains and catch-basins not now built in accordance with the requirements herein shall be reconstructed so as to conform thereto, whenever, in the opinion of the Committee on Sewers and Drains, it may be necessary.

SECT. 13. No exhaust from steam-engines shall be connected with the public or private drains; and no blow-off from steam boilers shall be so connected without special permission of the Mayor and Aldermen.

SECT. 14. Whoever shall cut into, interfere with, or obstruct a main drain or common sewer; or shall enter a private drain therein, except as herein provided; or shall place or deposit in any street catch-basin any animal or vegetable matter, solid or liquid, or any other filthy substance; or shall violate any of the provisions of this Ordinance,—shall upon conviction pay a fine of not more than twenty dollars for each offence.

SECT. 15. The twenty-third chapter of the Revised Ordinances, and all amendments thereto, are hereby repealed. [*Adopted May 26, 1875.*]

The provision as to diameter of the catch-basin mentioned in section ninth of the foregoing Ordinance is from an Ordinance adopted December 8, 1875.

CHAPTER XXIV.

STATE AID TO VOLUNTEERS.

No change has been made in this chapter.

CHAPTER XXV.

STREETS.

SECT. 7. The Superintendent of Streets is to be chosen "in the month of April, annually." [*Ordinance adopted April 15, 1874.*]

SECT. 8. The following words have been added at the end of this section:—

"And in case of the blockade or obstruction of any street, lane, or alley, he shall cause a notification of such blockade or obstruction to be left at each of the several engine-houses throughout the City." [*Ordinance adopted June 1, 1874.*]

SECT. 16. The following words have been added at the end of this section:—

"Whenever any street shall be opened by the Water Board, the Sewer Department, the Cambridge Gas Light Company, or by any person for any lawful purpose, the Superintendent of Streets shall prevent any unnecessary obstruction while the work is in progress, and shall see that the same is repaired and put in good order when the work is completed.

"If the street shall not be repaired to his acceptance, he shall forthwith put the same in good order, and shall render a bill for the expense of such repair to the department, corporation, or person whose duty it was to repair said street." [*Ordinance adopted Dec. 24, 1873.*]

SECT. 17. The following provision has been added to this section:—

"No building shall be moved through any of the streets of the City until the chimneys of said building

shall have been taken down even with the roof." [*Ordinance adopted April 22, 1874.*]

SECT. 19. The following penalty is prescribed for a violation of the first clause of this section:—

"No person shall construct or place, or cause to be constructed or placed, any portico, balcony, balustrade, porch, door, window, or step, which shall project into any street, under a penalty of not less than five nor more than twenty dollars for each offence, and a like penalty for every day that the said portico, balcony, balustrade, porch, door, window, or step shall be continued as aforesaid, after notice to remove the same from the Board of Mayor and Aldermen, or some person by them authorized." [*Ordinance adopted July 2, 1873.*]

SECT. 23. Domestic fowls and goats added to the animals mentioned in this section. [*Ordinance adopted July 23, 1873.*]

SECT. 26. This section amended so as to read as follows:—

"The tenant, occupant, or any person having the care of any building, or lot of land, bordering on any street, lane, court, square, or public place within the City, where there is any footway or sidewalk, and in case there may be no tenant, occupant, or other person having the care of the whole of any such building or lot, the owner thereof, shall cause the snow falling upon such footway or sidewalk, whether from any building or otherwise, to be removed therefrom, within twenty-four hours after the snow shall cease to fall; and any ice which encumbers such sidewalk, or any part thereof, to be removed, or covered with sand or other suitable substance, so as to make such sidewalk safe and convenient; and, if he fails to do so, he shall

forfeit and pay a sum not less than two dollars, nor more than twenty dollars." [*Ordinance adopted Feb. 10, 1875.*]

SECT. 30. No fire-arms to be discharged within the City limits, except in the performance of some legal duty. [*Ordinance adopted Nov. 23, 1874.*]

SECT. 35. After this section is added the following: —

"SECT. 36. The provisions of the three preceding sections shall apply to Prison Point Bridge; and the Commissioners appointed by the Thirty-third Section of the Ordinance, to which this is in addition, shall have and exercise all the powers conferred by the three hundredth chapter of the Acts of the Legislature of the year eighteen hundred and seventy." [*Ordinance adopted March 22, 1876.*]

CHAPTER XXVI.

TAXES.

The following Ordinance was passed in relation to the Board of Assessors in 1873.

An Ordinance relating to the Salary and Duties of the Board of Assessors.

SECT. 1. It shall be the duty of the Board of Assessors (in addition to their other duties), by an examination of the returns and records in the office of the Tax Commissioner of the Commonwealth, and by all other proper methods, to see that the City obtains its just and proportionate share of the taxes assessed upon stockholders in national banks and other corporations.

SECT. 2. The Board of Assessors shall receive an

annual salary of six thousand dollars, to be paid in equal quarterly payments as heretofore, which shall be in full for all services rendered in their official capacity, including those prescribed in this Ordinance, and Clerk hire. [*Adopted Oct. 8, 1873.*]

The salary of the Board was reduced in 1876, as shown in chapter XIX.

SECT. 6. Bills for Poll Taxes only must be distributed on or before the fifteenth day of September. [See note to sect. 11 of City Charter.]

CHAPTER XXVII.

TREASURER.

The City Treasurer is made the Collector of Taxes by Stat. 1870, ch. 229.

SECT. 2. The provision that the form of the Treasurer's bond shall be approved by the City Clerk was adopted when the City Clerk performed the duties of City Solicitor.

The section should now read, "in such form as the City Solicitor shall approve."

For the duties of the Treasurer in relation to the Fund for the Care of Cemetery Lots, see notes on the Act concerning the Cambridge Cemetery.

CHAPTER XXVIII.

WARDS.

The following Ordinance has been passed since this chapter was adopted:—

An Ordinance in Relation to the Boundaries of the several Wards, and the number of Members of the Common Council to be elected by each Ward.

SECT. 1. The boundaries of the several wards shall, until the month of October, in the year eighteen hundred and seventy-seven, continue the same as now established.

SECT. 2. The members of the Common Council shall be apportioned to the several wards as follows: Ward One shall elect four; Ward Two shall elect five; Ward Three shall elect five; Ward Four shall elect four; Ward Five shall elect two. [*Adopted Nov. 27, 1872.*]

CHAPTER XXIX.

THE WATER-WORKS.

SECT. 13. This section has been amended by striking out, near the end of the section, the words “and the balance of the account on that day,” and inserting in place thereof the words, “and so much of the balance of said account, after deducting all expenses and charges of distribution, as shall be equal to three per centum of the par value of the then outstanding Water Bonds.” [*Ordinance adopted Oct. 4, 1876.*]

SECT. 21. This section has been repealed, and the following section substituted in its place:—

“SECT. 21. The Water Board shall have the power to decide what shall be considered a waste or improper use of water, and to restrict the use thereof when it may deem it necessary; and if the water-taker shall refuse or neglect to comply with any order of the Board, after notice given to him, the water may be cut off, and shall not again be let on, except by a vote of the Board, and the payment of such fine, not exceeding ten dollars, as said Board may impose.” [*Ordinance adopted July 9, 1873.*]

SECT. 23. The last two paragraphs of this section, at the end of the Schedule of Rates, have been amended so as to read as follows:—

“Manufacturers or other parties supplied with water through meters, or by estimated quantity, shall be charged at the rate of two cents per one hundred gallons. The Water Board shall have power to ascertain by meter the quantity used in any case; and in any case where the quantity used averages not less than five hundred gallons per day, a meter shall be applied if the proprietor or occupant request it; and the charge for the water used shall be at the rate of two cents for each one hundred gallons.

“When water is required for purposes which are not specified in the foregoing tariff, the rate shall be fixed by the Water Board.

“The Water Board shall have power to establish such regulations as they may deem expedient, for the construction of water-closets hereafter; and the water shall not be supplied to any building, unless the said water-closets shall be made conformable to the said regulations.” [*Ordinances adopted July 9, 1873, and Dec. 27, 1876.*]

SECT. 24. The following words have been added to

this section: "For water used for the extinguishment of fires the rate shall be, for each hydrant eleven dollars per annum; for watering streets, one cent and a half for each hundred gallons." [*Ordinance adopted Dec. 22, 1875.*]

CHAPTER XXX.

WATERING STREETS.

No change has been made in this chapter.

CHAPTER XXXI.

WORKHOUSE.

No change has been made in this chapter.

CHAPTER XXXII.

GENERAL PROVISIONS.

No change has been made in this chapter.

JOINT RULES AND ORDERS

OF THE

CITY COUNCIL.

SECT. 3. The eighth article of this section, in relation to the appointment of a Committee on Reservoirs and Drains, has been repealed. [*Order of the City Council approved June 29, 1874.*]

The following new Rule has been added : —

“SECT. 18. Every Committee authorized to purchase, on behalf of the City, materials or supplies, shall advertise for proposals for the same, whenever the cost may reasonably be expected to exceed the sum of three hundred dollars, unless otherwise specially directed by the City Council.” [*Order of the City Council approved March 3, 1876.*]

RULES AND ORDERS

OF THE

BOARD OF ALDERMEN.

SECT. 22. The following article has been added to this section : —

“7. A Committee on Bonds, to consist of three Aldermen ; said Committee to receive and examine all Bonds of City Officers, or other parties required to furnish bonds to the City under appointment or license.”
[*Order of Board of Aldermen adopted Feb. 23, 1876.*]

RULES AND ORDERS

OF THE

COMMON COUNCIL.

No change has been made.

ORDINANCES

**NOT IN AMENDMENT OF THE REVISED ORDINANCES, AND
NOT PRINTED WITH THE FOREGOING NOTES.**

AN ORDINANCE CREATING THE OFFICE OF CLERK OF COMMITTEES.

SECT. 1. Annually, in April, there shall be elected, by concurrent vote of the two branches of the City Council, a Clerk of all Committees, standing or special, of either branch and of both branches of the City Council, not otherwise provided for by ordinance or order; who shall receive such compensation as the City Council shall from time to time determine, and hold office one year from the first Monday of June following his election, and until his successor is elected. He may be removed, and his place for the unexpired term filled, at the pleasure of the City Council.

SECT. 2 He shall make a proper record, in books kept for the purpose, of all proceedings and transactions, and keep a calendar of all meetings of the committees of which he is clerk, and, when requested by the chairman, notify the members thereof. He shall perform such other duties and services, in making estimates and computations, drawing orders and reports,

and rendering assistance, as such committees shall from time to time require.

SECT. 3. A Clerk of Committees shall be forthwith elected as, and with the duties, herein before prescribed, who shall hold office until the first Monday of April, eighteen hundred and seventy-two. [*Adopted Dec. 13, 1871.*]

The time of election and the term of office in the first section are in accordance with the provisions of an Ordinance adopted April 15, 1874.

AN ORDINANCE PROVIDING FOR THE APPOINTMENT OF A CITY
SOLICITOR, AND PRESCRIBING HIS DUTIES.

SECT. 1. On the first Wednesday of April, annually, or within thirty days thereafter, there shall be elected, by concurrent vote of both branches of the City Council, to be first acted upon by the Mayor and Aldermen, a Solicitor for the City of Cambridge, who shall be a resident citizen thereof, and who shall have been admitted an Attorney and Counsellor of the Courts of the Commonwealth, and who shall not hold any other office under the City Government during the period for which he is elected. He shall hold his office for one year from the first Monday of April, in the year in which he shall be elected, and until his successor is elected and qualified, unless sooner removed; and he shall be removable at the pleasure of the City Council, and vacancies may be filled at any time for the unexpired term.

SECT. 2. It shall be the duty of said Solicitor, by himself or by some person by him duly authorized, for whose conduct, skill, and faithfulness he shall be ac-

countable, to draft all bonds, deeds, obligations, contracts, leases, conveyances, agreements, and other legal instruments, of whatever nature, which may be required of him by any ordinance or order of the Board of Aldermen, or of the City Council, or which, by any ordinance or order heretofore passed, may be requisite to be done and made by the City of Cambridge, and any person or persons contracting with the City in its corporate capacity, and which, by law, usage, or agreement, the City is to be at the expense of drawing.

SECT. 3. It shall be the duty of said City Solicitor to commence and prosecute all actions and suits to be commenced by the City, before any tribunal in this Commonwealth, whether in law or equity, and also to appear in, defend, and advocate the rights and interests of the City, or any of the officers of the City, in any suit or prosecution, for any act or omission in the discharge of their official duties, wherein any estate, right, privilege, ordinances, or acts of the City Government, or any breach of any ordinance, may be brought in question. And said Solicitor shall also appear before the Legislature of the Commonwealth, or any committee thereof, whether of either or both branches of the same, and there, in behalf of the City, represent, answer for, defend, and advocate the interests and welfare of said City, whenever the same may be directly or incidentally affected, whether to prosecute or defend the same. And he shall, in all matters, do all and every professional act, incident to the office, which may be required of him by the City Government, or by any joint or special committee thereof, or by any ordinance or order heretofore passed. And he shall, when required, furnish the Mayor, Board of Aldermen, the Common Council, or any joint or special committee of either branch thereof,

and any officer of the City Government who may require it in the official discharge of his duties, with his legal opinion on any subject touching the duties of their respective offices. And all opinions so furnished by him, and having reference to matters of general public interest, shall be printed annually with the documents usually so printed under the direction of the City Clerk, by order of the City Council.

SECT. 4. A City Solicitor shall forthwith be elected, to hold office until his successor shall be duly elected and qualified, as provided in the first section of this ordinance.

SECT. 5. In full compensation for all the services of said Solicitor, he shall receive such salary as the City Council may from time to time fix and determine. In all cases, however, when his attendance may be required out of the City, his reasonable travelling expenses shall be allowed him; and in suits and prosecutions he shall be entitled to receive and retain for his own use the legal taxable costs which may be recovered of the adverse party, when the city shall recover the same, according to the usage and practice of the courts.

SECT. 6. So much of chapter four of the Revised Ordinances as imposes certain additional duties upon the City Clerk is hereby repealed. [*Adopted Jan. 17, 1872.*]

The clause at the end of Section 3 in relation to printing opinions of the City Solicitor is from an Ordinance adopted Sept. 24, 1873.

AN ORDINANCE REGULATING THE MATTER OF CARRIAGE-HIRE BY THE CITY COUNCIL OR COMMITTEES THEREOF.

No carriages shall be furnished at the expense of the City, except upon an order therefor signed by the Mayor, the President of the Common Council, or the acting chairman of any committee of either Board of the City Council; said order to state the purpose for which the carriages were required, and to accompany the bill therefor as a voucher. [*Adopted Nov. 24, 1875.*]

AN ORDINANCE IN RELATION TO SINKING FUNDS.

[See Chapter I. concerning Accounts and Finance.]

AN ORDINANCE IN RELATION TO PAYMENT OF CITY EMPLOYÉS.

SECT. 1. Heads of departments shall furnish monthly pay-rolls of employés in their respective departments, stating the name of each employé, the time for which payment is to be made, the rate of wages, and the amount due him.

SECT. 2. The City Treasurer shall in person, or by his clerk, pay each employé of the City, his authorized agent or attorney; shall take therefor the receipt of no other person than such employé, agent, or attorney; and may, whenever it is reasonably necessary, to save loss of time to the employés, send a clerk with the necessary funds to such localities as may be convenient for paying the men. [*Adopted March 15, 1876.*]

AN ORDINANCE CONCERNING THE CARE AND MANAGEMENT
OF THE BRIDGE CHARITABLE FUND.

SECT. 1. The fund given to the City by the late Levi Bridge shall be called the Bridge Charitable Fund ; and the income therefrom shall be applied in accordance with the provisions of his declaration of trust, as follows : —

“ The interest on the principal to be added to the principal, until the Fund, by moneys added thereto, by accrued interest, or by additions from other philanthropic persons, shall amount to Two Thousand Dollars ; after which time one-third of the increase of said Fund shall be added to the principal annually for ever, and the remaining two-thirds shall be paid over to the Overseers of the Poor for the time being, to be by them expended for the deserving poor of the City of Cambridge, in such manner as they shall deem best.”

SECT. 2. The Mayor and President of the Common Council for the time being, and one member of the Board of Aldermen, shall be the Trustees of said Fund ; and the last-named shall be elected annually in Convention of the City Council in the month of January ; and, whenever a vacancy exists in said Board of Trustees, the same shall be filled forthwith in the manner aforesaid.

SECT. 3. Said Trustees shall have the care and management of said Fund, and shall keep the same invested in such manner as said Board shall deem expedient.

SECT. 4. The Mayor shall be, *ex officio*, Chairman of said Board of Trustees ; and said Trustees shall keep a record of their doings, and annually, at the close of each financial year, make a report thereof to the City Council. [*Adopted Dec. 13, 1876. Amended Jan. 24, 1877.*]

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